Tangible reality?: Challenging the rigidity of the 1964 Cairo declaration

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1. **Boundaries and borders**

1.1. The increasing gulf in academic approaches to boundaries and borders has made it more difficult to interlink the two and find areas of common ground where the approaches may be mutually beneficial. Boundaries are distinguished by three characteristics; they are fixed/static, linear and bilateral. The traditional definition of borders identifies them as the geographic areas around the pre-existent boundary[1] which will include the infrastructures of controlling movement from one jurisdiction to another. The linguistic distinction between the terms has long been debated and recent scholars have observed that the two sub-disciplines have gradually drifted apart to become what Henk Van Houtum calls "separate subfields."[2] Boundary studies have become more aligned with international legal scholarship than its traditional genus of political geography where border and bordering discourses have become more dominant.[3] The two sub-disciplines may be drifting apart but that has not always been the case. As the African Union Border Programme has set in motion recovery and improved definition of African boundaries by 2012, it may be useful for policy-makers to recall that boundaries and borders have had a much more complex relationship even during these unique practices of boundary-making than may be popularly understood.

1.2. Within political geography, John Agnew and Stuart Corbridge have famously warned against falling into what they refer to as the territorial trap, or the de-contextualised approach that treats states as independent actors irrespective of the exercise of control over their respective territories.[4] Avoiding the territorial trap requires a contextualised focus on actual state practices of control that may or may not coincide with its defined territory, perhaps drawn most distinctly from Robert Sack's concepts of human territoriality "delimitation becomes a territory only when its boundaries are used to affect behaviour by controlling

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[1] J.R.V. Prescott and G. Triggs, *International Frontiers and Boundaries: Law, Politics and Geography,* (Leiden: Koninklijke Brill NV, 2008), 12.

[2] H. Van Houtum, 'The geopolitics of borders and boundaries' *Geopolitics* 10:4 (2005), 672-679. 674.

[3] Note that the 2008 edition of Victor Prescott's seminal work Political Frontiers and Boundaries was co-authored by an international legal scholar Gillian Triggs. This may be related to what Julian Minghi suggests is the tendency for 'traditional' boundary studies to gravitate towards inter-state conflict and the prevention thereof. J. Minghi, 'From conflict to harmony in border landscapes' in D. Rumley and J. Minghi, eds., *The Geography of Border Landscapes*, (London: Routledge, 1991), 17

[4] J. Agnew and S. Corbridge, *Mastering Space: Hegemony, Territory and International Political Economy,* (London: Routledge, 1995), 79

access."[5] Relating borders and bordering to sites of control has expanded the discipline to encompass a broad range of social and political practices, as well as a broader geographic scope to include those border sites that are not necessarily positioned near the territorial limits of the state (airports, embassies, refugee camps, etc). Borders and bordering may take the form of being fixed (control posts, barriers etc.) and linear (fencing), but they are almost exclusively unilateral activities. They are the processes by which a state asserts control, purportedly for some kind of benefit: security from an external threat, economic benefit from customs/taxes or the engendering of national identity.

1.3.   What have been nudged out of the border and bordering discourses are those bilateral practices related to boundaries specifically. Boundaries may mark the limits of territorial sovereignty, but they are not simply abstract "legal facts" [6] that distinguish borderland regions *ab initio* and are able to be reproduced objectively. If only considered lines on maps or lists of coordinates in a treaty, boundaries might be thought of as de-contextualised mathematical constructs subject only to a formulaic or technical system that allows them to be replicated. David Newman suggests: "Any attempt, therefore, to create a methodological and conceptual framework for the understanding of boundaries must be concerned with the process of 'bordering', rather than simply with the means through which physical lines of separation are delimited and demarcated."[7] While such a perspective has broadened approaches to border studies, the casting off of delimitation and demarcation as 'simple' implies that these are de-contextualised practices. This may be the case if understood from a small scale, high-political/diplomatic perspective, but boundaries themselves can also be physical entities of the landscape that do have distinct historical, geographical and social contexts at the local scale. This can be observed both in those practices specific to them, as well as the resultant bordering practices of state control.

1.4.   A key distinction between border and boundary practices is that since they are inherently bilateral, boundaries necessitate some kind of cooperation or interaction between neighbouring sovereigns. This is rooted in international law's post-imperial, core tenets of territorial integrity and sovereign equality; that is focused on where a state can assert control rather than where a state does exert control. Despite the pejorative tone of the phrase 'territorial trap', the notions of sovereign equality and territorial integrity that lie at its core also form the basis of inter-state dispute settlement, particularly in relation to

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[5] R.D. Sack, *Human Territoriality: Its theory and history* (Cambridge: Cambridge University Press, 1986), 19.

[6] H. Van Houtum, O. Kramsch and W. Zierhofer eds., *B/ordering Space* (Aldershot: Ashgate Publishing, 2005), 3.

[7] D. Newman, 2005 'From the International to the Local in the Study and Representation of Boundaries: Theoretical and Methodological Comments' in *Holding the Line: Border in a Globalized World* eds. H. Nicol and I. Townsend-Gault (Vancouver: University of British Colombia Press, 2005), 400.

boundaries. With this in mind, international law is effectively rooted within the territorial trap as individual states are considered to have equal, legal personality[8] irrespective of the disparity in capabilities to exercise control. The jurisprudence of the International Court of Justice (ICJ) and arbitral tribunals in boundary disputes, particularly across Africa, reveals the degree to which unilateral practices of control are ignored in favour of bilateral definitions, no matter how rudimentary and ambiguous those definitions might be. In the Cameroon-Nigeria boundary case, the ICJ effectively discounted Nigeria's administrative record within the Bakassi peninsula[9] and considered it insufficient to supplant what the Court considered to be a pre-existent and bilaterally agreed boundary. In the 1986 Burkina Faso-Mali case, the ICJ explained that administrative acts were most relevant in the perfection of an existing title over territory.[10]

1.5. If international law considered unilateral acts of control as valid methods of acquiring territorial title, would not more powerful states simply assert control over whatever territory they desired thereby generating legal sovereignty? Certainly within realistic state practice, hegemonic state powers do assert direct and indirect control over certain areas within the territory of other sovereign states, but international law is quite clear that this should not facilitate a change in legal title.[11] At its very essence, international law grew out of the rejection of imperial, hegemonic practices of control and sought to resolve disputes between states based on those very aspects of the territorial trap (sovereign equality and territorial integrity). In doing so, and perhaps unwittingly, international law has promoted a zero-sum game in when it comes to the boundary practices undertaken by neighbouring states.

1.6. In the first half of the twentieth century, the practices of boundary-making were the subject of much debate and scrutiny within political geography. This was based largely on imperial practice to which the debates were also self-supporting. However, with boundary studies

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[8] I. Brownlie, *Principles of Public International Law Fifth Edition* (Oxford: Oxford University Press, 1998), 106.

[9] International Court of Justice (ICJ), 'Land and Maritime Boundary Between Cameroon and Nigeria (Cameroon v. Nigeria with Equatorial Guinea intervening, Judgment' *I.C.J. Reports* (2002): 301-458. paras. 218-224.

[10] International Court of Justice (ICJ), 'Frontier Dispute (Burkina Faso/Mali) Judgment' *I.C.J. Reports* (1986): 554-651. para. 63.

[11] The ICJ recently reiterated this premise in its 2004 advisory opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory and cited the UN General Assembly's 'Declaration on Principles of International law concerning the Friendly relations and Co-operation between states' "No territorial acquisition resulting from the threat or use of force shall be recognised as legal." United Nations (UN) General Assembly (GA) Res. 2625 (XXV). See also International Court of Justice (ICJ) 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion 9 July 2004' *ICJ Reports* (2004). paras. 87-88.

drifting towards international law understandings about the practices of boundary-making, the focus has become perhaps more on how the game of dispute settlement was either won or lost, rather than what happens to a boundary after the 'game' is over. The contextual analysis that may be provided by current geographical critique is being supplanted by international legal procedures that, by necessity, must take an objective rather than a subjective approach to boundary practices.[12] Contemporary political geography and border studies have tended to avoid engagement with boundary-making practices that are often simply characterised as a 'technical' or formulaic system of delimitation and demarcation.[13] This oversimplifies what are in fact complex practices that do not follow a single methodological system with distinct and finite stages. These are on-going practices that require close engagement between neighbouring state officials as well as engagement with the human and physical border landscapes.

1.7. As the African Union Border Programme (AUBP) begins its ambitious initiative to demarcate all of Africa's boundaries by 2012, the goal of this short piece to provide a warning against oversimplifying boundary making practices and succumbing to the rigidity of a zero-sum game that may be derived from misperceptions about colonial boundary inheritance. This piece will begin by recalling one of the most cited clauses in inter-African politics, article 2 of resolution 16(1) of the 1964 Cairo declaration. However, by reflecting on the often un-cited phrasing of the remaining portions of resolution 16(1) the paper will reveal some of the political context around the Cairo declaration. More importantly, the focus will concentrate on the phrase "tangible reality" and how that phrase might imply an oversimplified understanding of the colonial territorial inheritance and of the challenges that face the AUBP. The suggestion will be that in most cases across Africa, the boundaries inherited at independence did not constitute a tangible reality and it should not be assumed that colonial boundary-making practices were 'complete' at the time of independence. In fact, some colonial boundary-making practices were less rigid and objective than may be previously thought. Some methodology reveals how local geography can be an active participant, to a greater or lesser extent, rather than an inert canvas in a more subjective approach to boundary practices.

2. **1964 Cairo Declaration**

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[12] Kristof criticises the systematic boundary-making advocated by Paul de la Pradelle in his 1928 work *La Frontière* as pursuing boundaries in an objective sense and advocated instead that boundaries should be addressed as subjective. L.K.D. Kristof, 'The Nature of Frontiers and Boundaries' *Annals of the Association of American Geographers* 49, no. 3-1 (1959): 269-282. 276.

[13] Newman and Paasi, 1998. 189.

2.1.   The most frequently cited portion of the 1964 OAU Cairo Declaration is article 2 of resolution 16(1), of 24 total resolutions, that pledges the independent African states to respect their inherited borders. However, what is often missed out is the context in which the declaration was put together. Only those present at the Assembly of Heads of State will know exactly what was discussed, but the preamble of resolution 16(1) that prefaces the two operative articles provides clues to the context in which the famous declaration was made.

> "AHG/Res. 16(1)
> Considering that border problems constitute a grave and permanent factor of dissention;
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> Conscious of the existence of extra-African manoeuvres aimed at dividing African States;
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> Considering further that the borders of African States, on the day of their independence, constitute a tangible reality;
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> Recalling the establishment in the course of the Second Ordinary Session of the Council of the Committee of Eleven charged with studying further measures for strengthening African Unity;
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> Recognising the imperious necessity of settling, by peaceful means and within a strictly African framework, all disputes between African States;
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> Recalling further that all Member States have pledged, under Article IV of the Charter of African Unity, to respect scrupulously all principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity:
> 1. SOLEMNLY REAFFIRMS the strict respect by all Member States of the Organization for the principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity;
> 2. SOLEMNLY DECLARES that all Member States pledge themselves to respect the borders existing on their achievement of national independence."

2.2.   The first two sentences of resolution 16(1) clearly convey the fear of conflict between the newly independent African states that may have been provoked by boundary disputes during the initial stages of de-colonisation. Disputes over the Algeria-Morocco boundary and Somalia's boundaries with neighbouring Ethiopia and Kenya had already caused the Moroccan and Somali heads of state to boycott the Cairo session. These tense situations would have been seen at the time in the shadow of the attempted secession of Katanga

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from the Democratic Republic of Congo that had tested the fledgling United Nations just three years prior to the Cairo assembly. The comparatively minor boundary dispute between Ghana and Upper Volta on-going at the time of the assembly was even mentioned by name in resolution 20 of the Cairo Declaration. As Saadia Touval points out, the OAU itself had been helpless to settle these specific disputes and the whole focus of the Cairo assembly was to cement the OAU as a mechanism for inter-state dispute resolution.[14]

2.3.   This approach walked the thin line between the OAU's primary focus on intercontinental political unity, and the seemingly paradoxical acceptance of inter-state boundaries. Touval notes that while Kenyan president Kenyatta had suggested a special charter to preserve territorial status quo of OAU member states, the chief pan-Africanist, Ghana's president Kwame Nkrumah, argued that this would only smother territorial disputes. Nkrumah argued that the only permanent solution was an African union, but he connected the principle of respect for boundaries with the activation of the OAU's proposed Commission of Mediation, Conciliation and Arbitration.[15] This focus on creating a "strictly African framework" for dispute resolution is conveyed very clearly in the last two sentences of the preamble to resolution 16(1).

2.4.   The second sentence of the preamble hints at fears of external, third state involvement in African affairs that could have accelerated potential conflicts. This hints at the close connection that the burgeoning OAU had with another seemingly strange-bedfellow, the global Non-Aligned movement. Dike Nworah explores this connection and saw Tanzania's president Julius Nyerere as the most vocal proponent of the Non-Aligned Movement within the OAU, seeing it as an avenue for weaker nations "trying to maintain their independence and use it for their own benefit in a world dominated politically, economically and militarily by a few big powers."[16] Again, it seems somewhat paradoxical that an organisation dedicated to inter-state political unity might be closely aligned with a movement that was based on the notion of sovereign equality and territorial integrity. Nworah also noted that in spite of the firm language against external involvement, and the united rejection of colonialism and racialism that pervades the remaining resolutions in the Cairo declaration, each newly-independent African state had a unique relationship with external powers including the formal colonial powers (such as economic connections).

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[14] S. Touval, 'The Organization of African Unity and African borders' International Organization 21:1 (1967). 102-127.

[15] Touval, 1967. 123-124.

[16] D. Nworah, 'Nationalism vs. Coexistence: Neo-African attitudes to classical neutralism' Journal of Modern African Studies 15:2 (1977). 213-237. 230.

2.5. Obviously there were both domestic and external political influences unique to all of the heads of state at the Cairo assembly and these are well beyond the scope of this paper. Nor is there space to address the major issue of self determination in relation to the declaration of the Cairo assembly. However, both the pursuit of a uniquely African dispute resolution authority and the resultant tension between the OAU's quest for political unity and the acceptance of territorial status quo (that is reiterated in both the preamble and in article 1) are ideas that are often ignored when article 2 of resolution 16(1), the pledge to respect the border existing at independence, is so frequently cited. For this brief work, the focus will be on another clause in the preamble that is also often ignored.

2.6. Sentence three of the preamble to resolution 16(1) states that "the borders of African States, on the day of their independence, constitute a tangible reality." A powerfully explicit phrase, but did the boundaries (to use the more appropriate term elucidated above) between the newly independent African states really "constitute a tangible reality" at independence? In Suzanne Lalonde's expansive study of the international legal concept of *uti possidetis juris*, she makes an interesting comparison between the de-colonisation processes in Latin American and Africa. Lalonde suggests that at de-colonisation in Latin America, there was first the question as to which former colonial administrative units would become independent states. Only then was the second question "how would those boundaries be determined?"[17] (Lalonde pp. 121-122) In other words: "For Latin American republics, it was not simply a question of *maintaining* the territorial *status quo* but of actually creating the territorial *status quo*."[18] (Lalonde p. 122) The ambiguity of both political and territorial distinctions at the moment of de-colonisation led to many years of conflict between the emerging Latin American states during the early to mid nineteenth century.

2.7. In the African context, Lalonde suggests the process was different since the political distinction between colonial administrations was more distinct. "Devolution occurred within the territorial limits as defined by the metropolitan powers, which were at liberty to adjust boundaries and transfer territory right up to the date of independence."[19] Lalonde believes that the colonial boundaries across Africa were "defined with much greater precision than the Spanish administrative lines."[20] She concludes that the concept of uti possidetis juris for Latin American states provided entitlement to boundaries of the former Spanish

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[17] S. Lalonde, *Determining Boundaries in a Conflicted World: The Role of Uti Possidetis* (Montreal/Kingston: McGill-Queen's University Press, 2002), 121-122.

[18] Lalonde, 2002. 122.

[19] Lalonde, 2002. 122.

[20] Lalonde, 2003. 123.

administrative divisions "*at law*" while "the newly independent African states, for their part, merely agreed to accept those boundaries, *in fact*, that existed at the date of independence."[21] This provides some indication as to why the Cairo declaration specifically avoids using the term 'uti possidetis' but Lalonde only hints at the wide variety of boundary definition that existed across Africa at the moment of de-colonisation by suggesting that:

> "Those boundaries that had been established and clearly demarcated were, following independence, protected according to general principles of international law. Those boundaries that had been unsettled during the colonial period remained unsettled."[22]

2.8.   While most boundaries inherited by African states at independence were defined arguably with greater geographic precision than the vague limits of Spanish colonial administration in Latin America prior to 1810, it should not be concluded that all African boundaries constituted a 'tangible reality' at independence. The only distinction Lalonde makes between settled and unsettled boundaries does not begin to indicate the wide range of ways that boundaries were known to the respective African states at independence. The term 'tangible reality' quite clearly suggests that a boundary can be recognised on the physical landscape. This implies that one knows precisely when he/she passes across the static, fixed and linear limit of one state jurisdiction to another. This could take the form of a river, or a series of boundary pillars, but the importance is that the extent of jurisdiction is clearly known to those within the border landscape. A boundary may be depicted on a map but that does not that make it a 'tangible reality.' A boundary may be defined in a legally binding text to a greater or lesser degree of precision, but that does not make it a 'tangible reality.'

2.9.   Did the African leaders at the Cairo assembly believe their state boundaries constituted tangible realities? Was this assumed? Was this phrase used consciously to deflect attention away from inadequate boundary definition that may have led to more disputes? Whatever the case, the statement in the Cairo declaration clearly belies clear boundary definition from what was in fact a much more haphazard territorial inheritance. The phrase 'tangible reality' makes two unfortunate implications that are intertwined. First, by not making any distinction between the varying degrees of definition clarity, it suggests that all boundaries could be observed on the physical landscape at independence, that the colonial boundaries across Africa had reached *fait accompli* prior to independence. Second, if a boundary can reach *fait accompli* the logical implication is that it has been the product of a distinct and finite process or system.

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[21] Lalonde, 2002. 122.

[22] Lalonde, 2002. 122.

3.   **Tangible reality?**

3.1.   In Lalonde's distinction between 'settled' and 'unsettled' boundaries, she admits that some African boundary sections were not "settled" at the time of independence. However, her distinction does not make clear if the term 'settled' refers to a clear verbal, cartographical or tangible boundary definition. Taking the phrase 'tangible reality' as a measure, there were in fact comparatively few boundary sections across Africa that would have been a reality on the border landscapes at the time of independence. Some boundary sections were relatively clear. The watershed section of the DRC-Zambia boundary had been demarcated with pains-taking precision from 1927-33 and an irregular maintenance regime ensured that much of the boundary section was clearly visible at Congolese and Zambia independence in 1960 and 1964 respectively. The Kenya-Ethiopia boundary was demarcated clearly with geographic precision in early 1950s and 1960s, although the agreement itself was not ratified until 1970 after long negotiations over transboundary grazing rights.[23]

3.2.   Those boundary sections that followed large rivers (Zambezi, Ruvumu, Congo, Ubangi) also would have been readily apparent on the border landscape.[24] However, a much larger proportion of the total length of African boundaries is defined along small rivers and streams, many of which may not contain water for parts of the year.[25] Although the 1905 Barotseland arbitral award placed the northern section of the Northern Rhodesia boundary along the 24° E meridian, the 1912-15 Anglo-Portuguese boundary commission revised the section to follow a complex series of local streams. For some imperial governments, rivers and streams made a sound, cost-effective substitute for more expensive boundary pillars.[26]

3.3.   The more devolved nature of British colonial administration meant that some of the intra-administrative boundaries were described with some degree of clarity in administrative records or maps, such as the 1926 Order in Council defining much of the Kenya-Uganda

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[23] 9 June 1970 Ethiopia-Kenya border treaty, see: I. Brownlie, *African Boundaries: A Legal and Diplomatic Encyclopaedia* (London: C. Hurst & Co., 1979), 791-822.

[24] Along several of these river sections it was not specified where the boundary line ran within the rivers themselves (as was the case along the lengthy sections of DRC-Congo boundary section along the Congo and Ubangi rivers on either side of Stanley Pool), but as a clearly visible landmark the rivers form a (seemingly) static, linear and bilateral division between jurisdictions.

[25] See the International River Boundaries Database, International Boundaries Research Unit, Durham University. www.dur.ac.uk/ibru/resources/irbd

[26] J.W. Donaldson, 'Pillars and perspective: demarcation of the Belgian Congo-Northern Rhodesia boundary' *Journal of Historical Geography* 34:1 (2008), 471-493. 485.

boundary or the 1930 provisional administrative line between Sudan and Uganda that was depicted on later mapping. However, in many cases the British intra-colonial boundaries were never demarcated on the ground. Due to the changing nature of French colonial administrative 'cercles' most of the intra-French colonial boundaries had no clear definition in administrative texts or on mapping, and most had never been demarcated on the ground. There were some initiatives by the colonial governments to hammer out agreements over un-agreed boundary sections as de-colonisation gained momentum in the late 1950s. British and Belgian officials hastened negotiations over the long disputed section of the Belgian Congo-Northern Rhodesia boundary between Lakes Mweru and Tanganyika in an ultimately unsuccessful attempt to resolve the dispute before Congolese independence in 1960.[27]

3.4.   There were huge lengths of inter-colonial boundaries that were not close to being 'tangible realities' on the physical landscapes. The lengthy overland section of the Ethiopia and Sudan boundary between what is now the tripoint with Eritrea and the Baro river was marked on the ground in 1903 with just 36 pillars, many of which disappeared soon after they were erected.[28] The watershed between the Congo and Nile rivers that forms much of Sudan's boundaries with neighbouring CAR and DRC was partially surveyed in the early 1920s but was never marked on the ground. Some boundary sections may have been demarcated in the late nineteenth and early twentieth centuries, but the fairly crude and impermanent marks were unlikely to still be visible at the time of independence. From blazed trees and iron telegraph poles to concrete pyramids and cleared tracks there was no consistency in the methodology of demarcation used by colonial officials in demarcating boundaries, both in terms of the types of infrastructure used and the frequency of marking. It is true that the OAU heads of state could not have addressed every possible boundary situation in the Cairo declaration. However, it is intriguing that they used a phrase as explicit as 'tangible reality' when the reality was that the boundaries had been subject to a range of varying demarcation methodologies.

4.   Systematic boundary-making?

4.1.   The second implication that can be drawn from this phrase 'tangible reality' is the idea that boundary-making is a formulaic process whereby a boundary is produced through a finite system. As a tangible feature of the border landscape, rather than a legal or cartographic abstraction, every boundary is subject to human and physical forces of their respective

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[27] See especially the correspondence related to negotiations over the Pedicle Road treaty in the National Archives (Kew) files CO 1015/1396, CO 1015/1397, CO 1015/2180 and CO 1015/2181

[28] T.H. Al-Nur, T.H. 'The Sudan-Ethiopia boundary: a study in political geography' PhD thesis, University of Durham (1971). 116.

landscapes. It needs little reinforcement that in the African context the original imperial partition of territory led to boundaries being defined with little geographic knowledge of the human and physical conditions of what would become the borderland areas. Imperial diplomats were well aware of their lack of knowledge of the areas they partitioned. As Lord Salisbury famously remarked in 1890: "(we) have been engaged in drawing lines on maps where no white man's foot ever trod; we have been giving away mountains and rivers and lakes to each other, only hindered by the small impediment that we never knew where the mountains, rivers and lakes were."[29]

4.2. Some of the original boundary agreements indicated that the boundaries would be further clarified on the ground by joint commissions. In many cases these commissions were empowered to make adjustments to the boundary that took into account greater geographic knowledge of the landscape. In the majority of these cases, it was knowledge of the physical local landscape that was most influential. The 1899 Anglo-German boundary commission along the Northern Rhodesia-Tanganyika boundary made numerous proposed changes to the boundary that were accepted by the two imperial governments in 1901.[30] The 1927-33 Anglo-Belgian boundary commission was allowed to adjust the boundary along the Congo-Zambezi watershed up to 500 metres of the 'ideal' watershed: "The Commissioners shall have authority, generally, to make such minor rectifications, and adjustments, to the ideal watershed as are necessary to avoid the troubles which might arise from a literal interpretation of the treaty."[31]

4.3. There were instances where knowledge of the human landscape also dictated re-alignment of boundary sections. An Anglo-French boundary commission surveyed what is now the Burkina Faso-Ghana boundary in 1900 and made several deviations from the boundary that had originally been defined along the 11° N parallel, east of the Black Volta river. The adjustments allocated several villages that had been found on the 'wrong' side of the parallel, and according to the subsequent 1904 Anglo-French exchange of notes, two local chiefs were even compensated for loss of territory.[32] A 1904 Anglo-French commission sent to survey the boundary between British and French possessions east of the Niger river was instructed to propose any modifications so that "that the tribes belonging to the territories of Tessaoua-Maradi and Zinder shall, as far as possible, be left to France, and those belonging to the territories of the British zone shall, as far as possible, be left to Great

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[29] Cited in H.S. Wilson, *The Imperial Experience in Sub-Saharan Africa Since 1870*, (St. Paul: University of Minnesota Press, 1977), 95.

[30] 23 February 1901 Anglo-German agreement, Brownlie 1979, 1019.

[31] Article 2(1), 19 March 1927 Anglo-Belgian 'Brussels agreement,' Brownlie 1979, 709.

[32] 18 March and 25 April 1904 Anglo-French exchange of notes, Brownlie 1979, 282-285.

Britain."[33] The 1911 Anglo-Liberian convention that paved the way for a second boundary commission to adjust the boundary in 1913-14 began: "Whereas His Majesty the King of the United Kingdom of Great Britain and Ireland and the President of the Republic of Liberia are desirous of readjusting the boundary line between the Colony of Sierra Leone and the Republic of Liberia, provisionally laid down by the Anglo-Liberian boundary commission of 1902-03, so that it shall correspond, as far as possible, with natural features and tribal divisions..."

4.4. The fieldwork of the colonial boundary commissions can certainly be aligned to what Felix Driver has referred to as Geography Militant. Their cartographic 'capture' of the African landscape certainly was serving imperial ends, not least by seeking out potential areas for European settlement and valuable resource deposits.[34] Their mapping served as the privileged information that facilitated colonial administration. However, what is instructive about their work was the engagement with the border landscape. In the pre-GPS world where coordinates can be obtained almost instantaneously, colonial boundary mapping was based on triangulation. This meant that boundary commissions had to spend years in the field, often sitting on a single hill for days or weeks at a time in order to obtain a line of sight (or ray of a triangle). Their reports include a wide range of information about the physical and human border landscapes, from geological observations to rudimentary ethnographic notes.[35]

4.5. When it came to making boundaries a 'tangible reality,' the colonial boundary-making practices cannot be considered the strict imposition of a boundary through a de-contextualised system. The practices were more reductive, concentrating the geographic focus from the small scale, imperial perspective of the continent, to the large scale realities of the local landscape. Likewise the boundary was not considered a pre-existent creation that was simply draped along the landscape. It was something malleable, that could be bent and shaped (to a greater or lesser extent of course) according to local conditions. For example, the boundary between British and French colonial territories east of the Niger river (now the Niger-Nigeria boundary) had been defined provisionally along a line of latitude in 1890 but was revised in 1898. In 1904 the Anglo-French commission mentioned above was sent to survey the boundary and instructed to propose practical changes to the line:

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[33] 8 April 1904 Anglo-French convention, Brownlie 1979,448.

[34] Donaldson 2008, 483-485.

[35] Donaldson 2008, 482.

> "It is agreed, however, that when the Commissioners of the two Governments at present engaged in delimiting the line laid down in Art. IV of the Convention of the 14th of June 1898, return home and can be consulted, the two Governments will be prepared to consider any modifications of the above frontier line which may seem desirable for the purpose of determining the line of demarcation with greater accuracy."[36]

After concluding its survey, the 1904 commission then proposed an even more detailed definition of the line that was accepted by both governments, but still provided for later adjustments to the line during demarcation.

> "...it is agreed that the Commissioners hereafter appointed to delimit the frontier on the ground shall be guided by the description of the frontier as set forth in the Protocol. It shall, however, be permissible for them to modify the said lines of demarcation for the purposes of fixing them with greater accuracy, and to make them indispensable alterations of detail."[37]

5. Moving towards 2012

5.1. Certainly the original imperial partition of Africa that had made the macro-political decisions on the small scale geographic division of territories across Africa, were much more influenced by the inter-imperial rather than local political contexts. Additionally, phrases such as "as far as possible" limited the influence of local conditions on boundary adjustments and territorial changes, as did the prejudices inherent in those European commissioners themselves who observed and interpreted local geography. However, the admitted lack of geographic knowledge at the small scale partition meant that subsequent boundary-making practices had to take into account local geographical contexts in the field. The colonial boundary commissioners or surveyors could not be purely mechanistic and had to take a pragmatic approach when making a boundary a 'tangible reality' on the border landscape. As the above quote from the 1906 Anglo-French protocol suggests, the practices of boundary demarcation on the ground were often "guided" rather than 'dictated' by the original imperial agreements rather than blindly overlaying a pre-existent.

5.2. Some forty-three years on from the Cairo assembly, the 2007 Declaration of Ministers in Charge of Border Issues, within the context of the AUBP, estimate that "less than a quarter of African boundaries have been delimited or demarcated." (Article 2a) In other words, less than a quarter of African boundaries now constitute a 'tangible reality.' The disparity

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[36] 8 April 1904 Anglo-French convention, Brownlie 1979, 448.

[37] 9 April 1906 Anglo-French protocol, Brownlie 1979, 451.

between what is implied in the text of the Cairo declaration and the reality of 2007 for an estimated 75% of African boundaries suggests that the boundaries inherited by African states did not constitute a tangible reality at independence and since 1964 they have not been made any more of a reality on the ground by the neighbouring states involved. Even those boundaries inherited at independence that were a 'tangible reality' may have degraded to such an extent that they no longer constitute a reality. In either case, it is clear that many African governments have left boundary practices in abeyance since independence.

5.3. Given the political value of territory, why have African governments left it over forty-years to deal with their boundaries? Perhaps the shadow of the 'zero-sum' game has made African governments reluctant to address poorly defined boundaries for fear of losing a portion of their perceived territorial inheritance. With the OAU having failed to establish an effective continent-wide dispute settlement mechanism international courts and tribunals have emerged as the preferred mechanism for resolving African boundary disputes. After all, of the eleven cases before the ICJ involving disputed territorial sovereignty or land boundaries since 1967, five have involved African states. The three land sovereignty and boundary cases adjudicated by arbitral tribunals in the last decade have involved (at least one) Africa state. However, this preference for settlement through international law may be fostering that zero-sum mindset of the territorial trap, and in turn promoting an objective approach to boundary practices.

5.4. There may be many other reasons why boundary practices have been avoided since independence but for those African states who are now addressing the challenges of the delimiting and demarcating their boundaries by 2012, the warning here is not to take a literal interpretation of the 1964 Cairo declaration with the assumption that the colonial boundaries at independence were all at a single level of clear definition; a "tangible reality." In some cases, the colonial record may provide a clear definition that is easy to recover on the physical landscape and demarcate as a tangible reality. In other cases, there may be no clear definition of where a boundary might run. In either case, it may be useful to take a more subjective approach to boundary practices with sensitivity to the complex physical and human geography of border landscapes.

THE ZIMBABWE-MOZAMBIQUE BORDER: FROM DEMARCATION TO C.1980

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Abstract

The paper contributes to our knowledge of African borderlands in general and the Zimbabwe-Mozambique border in particular. It pays particular attention to the demarcation of the boundary and early forms of economic and social interaction across the border among the communities astride the border by illuminating on the lived experiences of people in Penhalonga. Following Momoh (1989)'s characterization of African borderlands, the Zimbabwe-Mozambique border is categorized as a maximal borderland. It should be noted that, prior to the partition of the continent Africans had their own boundaries which differed from those that were drawn at the Berlin Conference. The drawing up of these boundaries meant that Africans were now supposedly confined to certain territorial limits either in colonial Zimbabwe or Mozambique. Africans continued to traverse the border in colonial times mainly as a way of evading tax in the first few decades and also in search of employment. However, when the liberation struggle intensified in Zimbabwe, the colonial government under Ian Smith deployed uniformed forces to seal the border. It was probably the first time that the state seriously regulated the movement and cross-border interaction among the borderland communities.

Introduction

The paper contributes to our knowledge of African borderlands in general and the Zimbabwe-Mozambique border in particular. It pays particular attention to the demarcation of the boundary and early forms of economic interaction across the border among the communities astride the border by illuminating on the lived experiences of people in Penhalonga. It should be noted that, prior to the partition of the continent Africans had their own boundaries which differed from those that were drawn at the Berlin Conference. The drawing up of these boundaries meant that Africans were now supposedly confined to certain territorial limits either in colonial Zimbabwe or Mozambique. Africans continued to traverse the border in colonial times mainly as a way of evading tax in the first few decades and also in search of employment. However, when the liberation struggle intensified in Zimbabwe, the colonial government under Ian Smith deployed uniformed forces to seal the border. It was probably the first time that the state seriously regulated the movement and cross-border interaction among the borderland communities.

There has been a tendency for scholars to regard African borders as 'artificial.' Borderland scholarship initially concentrated on American and European

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borders, particularly in the much studied Mexican-USA border. (Stoddard 1989; Martinez 1989) The theories and other explanations established there were applied by scholars who turned to the study of borderlands in Africa. African scholars initially focused on the events that culminated to the demarcation of borders (Herbst 1989; MacEwen 1991). With time, they also became concerned with the people who lived astride borders and wrote about their lived experiences and interaction across borders (Asiwaju 1991; Bakewell 1999; Kloppers 2005; Merkx 2000). Asiwaju (1985; 5) labeled African borderlands, "special areas of socio-political ambivalence," because of their location outside the development cores of national territory. He is among the first African scholars to apply borderland theories to African countries. His edited book has chapters that draw examples from diverse case studies across the continent contributed by several authors. Though Asiwaju popularized the study of borders in the 1980s, Warhurst (1973) had already dedicated his work on the history of the northeastern Zimbabwe-Mozambique border where he was interested in the events that culminated in the formation of a border and the immediate consequences of demarcation.

The irregular migration and border crossings by borderland communities have been sometimes interpreted as contestations by Africans of international boundaries that were set up by the colonialists. Be that as it may, they might not recognize the borders but, from their activities, borderland communities seem to be 'co-existing' in a way with the border. In fact, some communities have begun to respect the borders and hold a sense of national identity and treat their neighbours as foreigners. Miles (2005) has written on the effect of the setting up of a customs post on the Niger-Nigerian border in the late 1990s and its impact on the local communities. He asserts that from both sides of the boundary, national control has gradually intensified, reinforcing Hausa villagers' consciousness of, and deference to, their respective national identities. Miles argues that locals perceive the border as infrastructural development and a sign of national identity and not division. Kloppers adds an interesting dimension where state perceptions differ from local perceptions of borders;

> Borders are only artificial from the viewpoint of the powerless
> and poor who have no vested interest in their existence.
> Political elites who benefit from the existence of state borders
> do not see state borders as artificial. (2005; 7)

This argument is sustained by Herbst (1989; 657) who argues that the adoption of colonial borders by the Organization for African Unity, assured the new nationalists that "they would control resources brought in from outside, whether those resources be economic or technical assistance, or political support." The same can be said of the differences in perceptions between the Mozambican and Zimbabwean governments and the borderland communities astride the border. From speaking with the villagers, one gets the impression that these people are conscious of the border's existence but it does not necessarily hinder them from crossing because they have ways of beating the system. The governments particularly that of Zimbabwe, are very eager to control the movement of goods across the border. The border patrols enforce the restriction of goods across the bush tracks of the border. Thus McEwen (1991; 63) argues that the European powers adopted a fairly liberal attitude towards the regulation of colonial boundaries in contrast to the independent African states who pay closer attention to their inherited territorial limits and controlling the

movement of people and goods across them, especially in situations involving the large-scale passage of refugees or contraband items.

Despite the regulations imposed by governments, borders remain areas of exchange for communities that live astride them. In his study of the Sudan and Uganda borderland, Merkx (2000; 7) perceives borders as areas of economic opportunity, whereby a two-way flow of goods and workers can bring progress, but can also be "abused" for economic gain through illegal import or export or by capitalizing on different prices and markets on both sides. Despite the tougher economic environment that has developed since the 1960s, interaction between people in northern Uganda and southern Sudan continued.

How would one characterize the Zimbabwe-Mozambique border? With regard to the themes and tensions that surround cross-border dynamics, Berry (1997) identified three groups of scholars: those who view boundaries as powerful and progressive—serving to define and advance ideas, activities and outcomes in many domains of social and intellectual life; those who see boundaries as powerful but oppressive, serving to limit and exclude; and a third, recently expanding group who tend to portray boundaries as permeable, contested and not so powerful in shaping the course of events. The characteristics of the Mozambique-Zimbabwean border as will be shown suit the third criterion.

There are several scholarly approaches to the history of the Mozambique-Zimbabwe border. The earlier historical works concentrated on analyzing the forces that shaped a borderland society on the Zimbabwe-Mozambique border. Beach (1992) argues that the division on the frontier between Mozambique and its Anglophone neighbours was not a result of any long-term historical event but the effects of the 1891 Anglo-Portuguese treaty. The treaty brought a border that cut through larger numbers of African territories on the border areas and across long-term links between the peoples and economies of the Zimbabwean plateau links. Other pre-colonial works on the interaction of the societies before and after the demarcation of the Mozambique-Zimbabwe border include the writings of (Bhila 1976 and 1978; Blake 1977; Moore 1995; Mutukumira 1999)

In his discussion of the "exclusive territoriality" of the Choa highlands in Manica province, astride the Zimbabwe-Mozambique border, Vitarnen (1999) argues that the local population of that area remains part of a larger socio-economic network, which extends to neighbouring Zimbabwe. Virtanen's study brings interesting aspects about the interactions between the two sides of the border and how these have continued to occur, with some changes having been experienced as the situation deteriorated on the Zimbabwean side. Hughes (1996; 2003) is one of the scholars who have disputed the categorisation of the Mozambique-Zimbabwe border as soft, because, emigration, he argues, stripped off their rights and privileges which they enjoyed in their own country when Zimbabwean headmen exploited Mozambican migrants as pawns in territorial disputes with the state and private landowners.

In this paper I made use of the contributions from this diverse literature, particularly for carving out themes and background information. The Penhalonga and Nyaronga communities are relatively understudied areas, and there are no scholarly works on smuggling along the border. Correspondence and primary documents from the National Archives of Zimbabwe provided useful information on the activuites that transpired during the colonial era. Oral interviews and oral

histories with the people of Nyaronga and Penhalonga were collected so as to ensure that these interviewees would be given as much voice as possible.

The establishment of a border and immediate consequences

The Zimbabwe-Mozambique boundary, where Penhalonga and Nyaronga are located, was delimited through the signing of the Anglo-Portuguese treaty of June 11, 1891 (Officer of the Geographer 1971). The demarcation of the border on the ground was made by natural features such as rivers and also by artificial marks such as pillars. In the central part, the boundary traverses an area of numerous escarpments and peaks, including the Nyanga and the Chimanimani Mountains. The demarcation of the boundary was divided in four sectors from north to south as follows: (1) the Zambezi to the Mazowe, (2) the Mazowe to Honde (Barwe sector), (3) the Honde to the Save (Manica Sector), and (4) the Save to the Limpopo. But after this, there were subsequent adjustments to the boundary that were usually settled through arbitration. For example, in January 1895, a declaration was made to alter an area in dispute between Portugal and the United Kingdom which was commonly known as the Manica boundary. The final settlement made in 1897 is well illustrated in the words of the historian R. Blake;

> Southern Rhodesia thus acquired what has come to be one of its main holiday areas including Umtali, the Vumba Mountains and Melsetter, all of which would have gone to Portugal under the 1891 Treaty. In return, the Portuguese obtained a then useless area which, however, included the site where the Caborabassa dam was to be built over seventy years later and Britain renounced any claim to Gazaland (Blake 1977, 89).

However, these adjustments carried on to the late 1930s; for example, the boundary between the Honde (approximately 18˚30' south) and the Limpopo was finalized in 1937 (Office of the Geographer 1971).

In terms of the colonial state's perception of the border, one can agree with McEwen (1999, 63) that the European powers "adopted a fairly liberal attitude towards the regulation of colonial boundaries." As late as 1898, there was no clear indication as to where the Zimbabwe-Mozambique border lay and many chiefs were uncertain of which side they belonged to. This delay had complications in dealing with territorial issues that overlapped into disputed areas. For example, the Native Commissioner for Umtali received the following complaint in 1899:

> It is to be regretted that we are not yet in a position to let the natives know where the boundary is. They look up in distrust to us now. They say we have been along the border and told them that would be the boundary and now the Portuguese come on this side and collect hut tax where they have been never before. This could affect the prospecting and mining activities that have just begun (Native Commissioner's report 1899).

Such kind of problems, which had implications on the border were not treated as a matter of urgency. However, the African risings led by Chief Mapondera that rocked the border in 1900-1901 prompted the Colonial office to remind the BSAC government about the "regrettable state of lawlessness in the neighbourhood of the

independent boundary" (Warhust 1973, 2). The relations between the British Colonial administration and their Portuguese counterparts also delayed the demarcation of the border because of the dishonesty of the former:

> The Portuguese were not as clever as the British. They would demarcate the border by marking trees with paint. However, where the British saw opportunities for mining within Portuguese territory, they would cut the trees and burn the stumps so that the demarcations were removed. That would be their basis for operating in that area which in actual sense belonged to the Portuguese. Initially some of the territory that lay in Penhalonga was part of Mozambique but the British wanted to mine gold and after the demarcation of that border, Portuguese miners had to surrender those mines (ZEngeni 2007).

Rennie (1973) argues against giving agency to the British settlers in securing the border with Mozambique. He dismisses the claims by other scholars that the role played by the white settlers from 1893 in the Eastern Districts of Colonial Zimbabwe was a key factor which secured the border against the Portuguese. Instead, Rennie asserts that "the role the settlers played was to secure for the BSAC an area which was already effectively British by international agreement, and wanted only demarcation" (1973, 167). He further argues that there is no evidence available that the patterns of white settlement influenced the eventual demarcation of the Boundary Commission.

One can thus question the colonial mind or settler thinking towards the erection of borders. It is interesting to note scholarly interpretations on this matter, where boundaries are said to have been designed for the effective extraction of taxes from colonial subjects. Writing on Asian borderlands, Hortsman (2004) argues that from the colonial perspective, boundaries were designed to restrict trade and movement of people across the inter-colonial border and to promote activities like taxation, road construction and resource extraction. He sustains the argument by stating that border formation "is a crucial part of the ambition of the colonial state to establish control over people and territory in the occupied land and to force them to produce revenues for the colonial masters."

At the same time, Africans had no voice when the processes of delimitation and demarcation were conducted. For example, the Native Commissioner for Umtali received the following complaint from an African residing in Penhalonga:

> A complaint has been laid by Tshitona [an African headman] against a white man to the effect that he took eleven head of cattle belonging to Tshitona , which cattle were being herded in Portuguese territory…the white man had bought some land in Portuguese territory and finding these cattle there, confiscated them. I do not know the white man's name but the native is called Magwere and he works in Penhalonga at the Proprietary Mines Ltd (Native Commisioner's report 1900).

Whilst the reaction by Africans to the demarcation of the border is not vividly captured in the archival documents and official reports, we learn from the official records that Africans had their own feelings towards the redrawing of boundaries. In his thesis D.S. Moore hints on the perceptions of the British white settlers regarding

the setting up of the border and the African 'preferences' on which side of the boundary they favoured to reside. The Native Commissioner for Umtali reported, "The natives seem to be very pleased that the boundary question is to be solved at last and those living near the border say should they fall into Portuguese territory they will move over again" (Moore 1995, 184). Rhodesian administrators often saw themselves as benevolent paternalists, so they depicted Africans eager to choose allegiance to a British, rather than Portuguese, colonial state. According to Moore, forced labour east of the border was one of the undesirable consequences of living under Portuguese rule cited by Rhodesian officials. Mutukumira (1997) argues that the border was an asset for the Africans who evaded tax payments by crossing over to Mozambique, hiding in mountains and narrow valleys from the British tax collectors. He quotes a British colonial official complaining that "the people live sometimes on this, sometimes on that side of the Portuguese boundary and they possess no movable property of any sort that could be seized for the payment of taxes (1997, 35)." More interestingly, Mutukumira sums up the local African perceptions of the border when he states that most of his informants did not know that the border existed or had been laid.

It should be borne in mind that prior to colonization and the demarcation of the boundary, the Manyika were involved in trade with the Portuguese and also their eastern neighbours the Gaza-Nguni. However, their relations were not always smooth, because the Gaza-Nguni attacked the kingdom of the Manyika in the early 1870s. Bhila (1977) argues that the war did not end the economic relations between the Manyika and Portuguese traders and that the latter were utterly destroyed and lost their independent identity. Instead, Bhila contends that trade flourished, especially in firearms and it was only when the British and Portuguese with their "respective commercial interests came face to face after 1890 that effective power came into the region" (1977, 37). Consequently the Manyika succumbed and were partitioned. From 1890 the British and the Portuguese began to effectively occupy these Southern African territories, which subsequently led to the demarcation of the border as already alluded to.

An interesting economic activity obtaining during the early history of interactions on the border was the illegal sale and theft of guns. Africans from both sides of the border could access guns by theft and trade, a crime that colonial administrators had difficulty in combating. Mutukumira (1997, 36) augments this claim by citing British officials who admitted that the gun and ammunition trade surpassed all legitimate trade as the frontier societies preferred guns to anything else. Warhurst (1973) asserts that the immediate consequence after the delimitation of the border was the restriction on the gold trade to Tete, which flourished when the state was still independent. Traders from Tete who had collected alluvial gold extracted from the Mazowe River found it more difficult now that the sources of gold were in British territory. In this sense, the border was a barrier to the Tete traders who could no longer continue with the gold trade.

Border control also served the purpose of regulating labour in some cases but the Native Commissioners experienced problems with regulating people movement. The Tete Agreement of 1913 signed as a labour agreement between Mozambique and Southern Rhodesia granted Southern Rhodesia access to recruit labour within Tete Province but efforts to control clandestine labour were fruitless:

> In a number of cases there are valid reasons for natives wishing
> to settle in Southern Rhodesia. A man domiciled on our side of
> the border dies; his heir and the head of the family lives on the

other side and wishes to cross in order to take up his position. Marriages take place between parties living on different sides, and as all marriages are *mugariri* marriages either the son-in-law must move to the father-in-law or (occasionally) vice versa of natives can move from here to Portuguese East Africa but not the other way, we stand to lose, but never to gain. These instances can be multiplied almost *ad infinitum.* The fact is that the border does not follow any definite tribal line. (Native Commissioner 1923)

The Native Commissioner noted furthere:

Chief Chigayo's country, for example extends beyond the Mkumvura to the Karuhwe River in Portuguese East Africa. This being so, there will always be a considerable movement backwards and forwards whether we recognize it or not, and it would be almost be inhuman to try to prevent it. At present, by refusing recognition, we are only creating a class of natives who ship over the border whenever an official policeman is within the neighbourhood. (Native Commissioner 1923)

We learn from the Native Commissioner that administration of border areas was difficult due to the prevailing set up of a border that 'cut' originally solid ethnic groups, for instance, the Manyika and Barwe who could easily smuggle themselves across the border. The Zimbabwe-Mozambique border stretched across ethnic groups in the two countries. As a result, some sections of the border had unrestricted movement even during the colonial period because of the interaction between the communities.

Life in the Borderland

The first mine compound in Penhalonga for Africans was called *Marata* which was constructed during the First World War. The name came from the structures which were made from aluminum sheets (marata) and was a temporary type of housing for African men (Zengeni 2007). It was a compound for miners who worked for Rezende Mine. Later on in the 1950s, the mine constructed a much better compound with standard housing and Marata was razed to the ground. Sylvester Mateya an informant, illustrated life in the compounds:

We spent most of our time playing soccer as young boys at Marata soccer pitch where we played soccer... It entertained us very much. We would also have choirs whereby we would sing for people but in a deliberately discordant manner at night to disturb people so that they would give us money as a way of sending us away. It was a way of raising funds which we would use to buy this very sweet loaf of bread that we would eat with jam. We could go into Chadzuca on the other side of the border just to raise money through the choir (2007).

The Mozambicans came to work and shop for their basic needs in Penhalonga. This had always been the situation since the demarcation of the boundary, as Africans decided to live on one side of the border;

> The Mozambicans would come to the shops at Penhalonga to buy goods. The services here were better off than on the other side of the border. At Costa's shop, children would be given a bowl of sugar and buns and sometimes sweets for buying at the shop. So we also preferred buying at the shop but of course we could also go to Nyaronga for a drink and they had their own type of bread that we liked very much. The border was open and so we could cross and buy what we wanted there. Even until to this day Mozambican women come to do vending here selling carrots and other greens (Mateya 2007).

Historically, the area was also synonymous with African nationalism in colonial Zimbabwe because a number of African politicians were educated at St Augustine's Mission. An interesting incident occurred in the early 1950s when the African nationalist Herbert Chitepo visited Penhalonga:

> You see that small window on the shop? It was for Africans only. Whites would enter using the main entrance. So one day Chitepo visited Meikles' Store, he bought a bed and a few other household goods. Now the shop assistants began to take the goods out using the main entrance so that they could load them into a car. But Chitepo refused and ordered them to take the bed out through the small window. He was persistent with his instruction until they called the shop manager. Again Chitepo ordered the manager to take the bed out through the small window since he had bought it through the window. The white manager did not recognize who Chitepo was until he was then told by his worker that this man was a freedom fighter. From that day onwards the window was sealed and we were allowed to enter through the main door to buy goods (Zengeni 2007).

The incident that occurred when Chitepo visited Penhalonga was an inspiration to some Africans who resided in the area and when the liberation struggle broke out, residents in this area were actively involved. Zengeni, who owned a store in the area, stated that he became a Commissar for ZANU and would secretly take responsibility for the welfare of freedom fighters that crossed from Mozambique into Penhalonga especially when they came to search for food and other basic needs;

> When youths came from Old Umtali to participate in the liberation struggle they would sometimes be arrested by the British Police for their nationalist activities. As the Commissar, I would go and plead for their release on the grounds that they were not coming for political reasons but to hire chairs that were at my shop. I also ensured that comrades who had bases in Mozambique would come and get their supplies. Tendayi and Karuru were some of their names. I made sure that at any given time I had snuff and cigarettes. They secretly came to see me at Tsvingwe. (2007)

This period saw an accelerated pace of exchange in commodities and information to and from Mozambique as some freedom fighters operated in the area. However, the period of the liberation struggle was not rosy for the residents of the mine compounds and the neighbouring villages. It is said that the curfews that were put in place were restrictive to night movement and people lived in fear especially when the freedom fighters visited the mine and the Rhodesian police or army found out about it:

> The next morning was trouble for us because the Rhodesian army would round us up and interrogate us. They would punish heavily those who would have given the freedom fighters hospitable treatment. The beatings were unexplainable as they could leave one for dead. At one time, I left the Nyaronga bar around eight o'clock, but to my surprise, the next morning I heard that the army arrived shortly after wards and beat up and tortured all the people in the bar for supporting the freedom fighters. You could not even walk freely, especially the time when the Chimurenga intensified in the mid-70s (Mateya 2007).

The heightened activities of nationalism in the later part of the 1970s moved the Rhodesian Government into controlling risk in many parts of the country. Resultantly, the crossing point of the Zimbabwe-Mozambique border in Penhalonga was closed and soldiers stationed there to stop movement of populations across the border:

> It was not until the 1970s when the war had become intensive and the government of Smith was under attacks from the guerrillas that we were banned from crossing the Muzuri entry point along the border. It was the first time to see troops manning the border and we could not even attempt to cross to the other side because they sealed the area to monitor movements of guerrillas in and out of the country. Even in the few years after independence, the border continued to have soldiers wearing Zimbabwe National Army uniforms in the new Zimbabwe (Mateya 2007).

This was the beginning of border control by the Rhodesian Army. For those who wanted to cross they now had to do so under a new set of rules, for example, a woman carrying firewood on her head and a baby on her back had now to go through the process of interrogation by a border patrol officer, explaining where she was going and ask for permission to pass with firewood. The same was true for all people who were to pass through that crossing point. The patrols were meant to monitor movements across the border by guerillas based in Mozambique since some of them would use that route.

The same period also saw the planting of landmines along the border, making it a risk to cross into Mozambique through undesignated crossing points (Rupiah 1995). These points are said to have been guarded and not easy to cross:

> I actually remember going to Nyaronga only after the Chimurenga had ended because the situation had been calm and the number of soldiers reduced. In fact, they were becoming a bit friendlier to villagers since they now worked for a black government (the new Mugabe government) and so they were like comrades to us. We were not affected by

Chimurenga in the same manner as the people in the rural areas especially Muchena communal lands located close to St Augustine's Mission and some parts of Mutasa, who sometimes had to flee. We, therefore, did not cross into Mozambique running away from the war. Also Mozambicans did not flee into this country as refugees through this entry point in Penhalonga. They went to Chipinge and Kaerezi in Nyanga. Even if they came through this point they would be taken to the refugee camps at Tongogara in Chipinge. I suppose the activities of Renamo were not strife in that region. (Magobeya 2007)

Whilst this is undocumented, the closing of the border could have been linked to the efforts at stepping up security by the Smith regime after the historic crossing of the future Prime Minister of Zimbabwe, Robert Mugabe, the nationalist Edgar Tekere and Chief Rekayi Tangwena into Mozambique through the Nyanga side of the border. (Mugabe 1983)

The few examples cited in the discussion show that interaction across the border among Africans occurred in response to the imposition of the border, and were reaction to control or regulation of movement as well as harsh treatment by the colonial governments.

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RETHINKING BORDERS IN SOUTH MOZAMBIQUE

Ana Cristina Roque[1]

1. GENERAL CONSIDERATIONS

As many other African countries, Mozambique faces today the problem of the rebuilding and the readjustment of the official borders. Due to natural causes or to political issues the former demarcation of the physical border disappeared in some areas. Old beacons are missing and negotiations must be done in order to rebuild the border line according to the previous treaties and agreements of the early 20th century between the former colonial governments of Mozambique and of the present adjoining countries of Swaziland and South Africa.

Although this "rebuilding" process corresponds to an internal political need it must be also understood as a response to the African Union (AU) Border Declaration Programme, established during the African Conference of the African Ministers of Border Issues in Addis Ababa in 2007, in order to implement the Resolution on the Inalienability of Colonial Boundaries assumed in Cairo, in 1964, by the Organisation of African Unit (OUA), and ratified in Durban, in 2002, during the African Union (AU) Assembly of Heads of State and Government.

According to the AU Borders Declaration Programme all the process of fixing African borders, where such an exercise has not yet taken, should be concluded by 2012 and to achieve this goal, the governments of the different countries should proceed in due time to the necessary works and diplomatic contacts. In many cases, most of the official documents concerning this issue – reports, maps, sketches, field-notes, topographic and

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geodetic data, photographs… - , are still kept outside the African countries, in the several national Archives of the former colonial powers, thus being necessary an official collaboration with the different countries involved.

By accepting the colonial frontiers, African countries assumed them as part of their own history. Other than a colonial imposition they become a "tangible reality" (OUA Chart, 1967), the physical marks of its political limits requiring, as sovereign states, the official basis of this assumption and demanding, by this claim, the free access to all the official documents related to the history of their frontiers.

Kept in the colonial archives as relevant documents for the History of the European Colonialism in Africa, this documentation is notwithstanding an important *corpus* of data for the History of the newborn African countries, being the main source of information on their territory and testifying the state sovereignty.

Regardless to the former Portuguese colonies, and specifically Mozambique, the historical information on the borders is dispersed within several archives and institutions, being the Ministry of the Foreign Affairs (MNE), the Geographic Society of Lisbon (SGL) and the National Library (BNP) some of the most well known ones. However, as most of the information concerning this subject was produced by the Portuguese Commission of Cartography (PCC) and the institutional successor of the PCC is the Tropical Research Institute (IICT), the IICT turned out to be the most important repository of information on African colonial borders.

The huge patrimony of the PCC includes official and diplomatic documents, correspondence, proceedings of the several meetings held by the commissions in charge of the delimitation of the boundaries and the definition of the border lines, reports, field notes, detailed accounts of the daily works, description and geographic coordinates of the beacons, results of the topographic and geodetic works, sketches, maps, photographs, precise descriptions of the territories traversed as well as the scientific equipment used during the survey missions, being the most relevant nucleus, the *Map Collection*, the so-called *Archive of the Frontiers* and the *Geographic registries.*

The *Map collection* includes 481 manuscript maps and sketches on Mozambique as well as some printed copies and a few maps used but not produced by the PCC (1883-1936). The whole collection was first entrusted to the former Center for History and Ancient Cartography Studies (CEHCA - IICT) but, in a near future, it will be transferred to the Portuguese Overseas Archive (AHU - IICT).

The *Archive of the Frontiers* is the record of the daily works of the commissions involved in the several processes of demarcation and delimitation of the frontiers all over the territories under Portuguese Colonial rule. They were in the former Center of Cartography and are now entrusted to the Centre for GeoInformation and Development (GeoDES - IICT). They include 36 boxes of documents (written documents, photos and maps) on Mozambique for the period between 1856 and 1942.

The *Geographic registries* are directly connected with the fieldwork of the Geographic Survey Mission (MGM) who was officially responsible for those missions during the colonial period. They were in the former Center of Geodesy and are now entrusted to the GeoDES. They include all the records on the geographic coordinates and description of the boundary marks as well as topographic and geodetic data, photos, reports and instruments used by the MGM.

Kept at the Tropical Research Institute (IICT), this patrimony integrates today the AHU and the archive funds of both the Centre of History (UHist) and the Centre for GeoInformation and Development (GeoDES), where it has been subjected to organization and study in the scope of several projects, being one of these projects – *Mozambique Boundaries: from colonial division to State-Nation formation (history, diplomacy and territorial demarcation since 1856*) – the result of a special demand of the Mozambique Government.

Considering that only part of this documentation has been used to support particular research studies but has never been studied as a whole and that most of the documents are neither inventoried nor available for researchers outside the IICT (ROQUE, 2007), that Mozambique is committed to accomplish the deadlines defined by the African Union Borders Program and that the IICT can really bring an important contribute to this achievement, we considered that this particular ABORNE conference was a privileged space for us to present the cooperation project we are starting with Mozambique and to show the relevance of the historical information related to this issue. On the other hand, as it is foreseen a visit to the Mozambique border in the Kruger Park area, we will underline the importance of the historical data concerning Mozambique, with the example of the border between Mozambique and the Transvaal (former boer Zuid Africaanse Republiek /South Africa Republic) in the late 19th century.

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2. MOZAMBIQUE BOUNDARIES: COOPERATION AND DEVELOPMENT

The above mentioned project – *Mozambique Boundaries: from colonial division to State-Nation formation (history, diplomacy and territorial demarcation since 1856*) – must be seen in a close connection with the official visit of a joint delegation from Mozambique and Malawi to the IICT, in January 2009.

Recognising both the importance of the archival funds of the IICT and the commitment of the Institution in making them available to the Community of the Portuguese Speaking Countries (CPLP), the main point of this visit was the access to the official documents related to the process of delimitation and demarcation of the Mozambique borders in order to observe the resolutions of the AU Border Declaration Programme. The lack of these documents was then presented as a major restriction to the prosecution of the technical and scientific work needed to confirm the 2.685 km of its terrestrial borders, involving seven neighbouring countries (South Africa, Swaziland, Zimbabwe, Zambia, Malawi and Tanzania), and the 2.7000 km of maritime border to be discussed and defined with four other countries (South Africa, Madagascar, Comoros and Tanzania) (IMAF, 2009).

On the other hand, local research and fieldwork developed by IMAF teams had revealed that the physical border once materialized by boundary marks or in some cases by wire fences, had disappeared in some areas and about half of the terrestrial boundaries were not precisely delimited (IMAF, 2009). Old beacons were missing and there was no information on the primitive geographical coordinates. In this sense, any attempt to rebuild them required the previous knowledge of their geographical position and every possible reconstruction of the borderlines depended upon unknown descriptions, maps or topographic and geographic data. Briefly, it was impossible to continue the works based on the little information already published, namely the treaties and conventions signed by Portugal and England concerning the areas in dispute by these two countries between 1869 and 1926 (Almada,1943), and there was an urgent need in accessing the archival documents.

Meanwhile, contacts with other Portuguese institutions, revealed the possibility of a multi-institutional approach, taking advantage of specific knowledge and work experience in this subject, and enabled the outline of a cooperation project involving Mozambique and Portugal that was submitted, last June, to an external financing programme.

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Responding to particular concerns of Mozambique government, the project will investigate appropriate and innovative methodologies and technologies to organize and obtain a Boundary Information System for Mozambique to provide authorities and general public with reliable information and to expedite the management of the boundary. The system will be mainly based on studies involving historical documentation associated with geographic data existing at the IICT, both collected and produced from 1856 onwards and related to the long process of the boundary implementation in Mozambique.

A comprehensive research will be supported by an interdisciplinary team in order to recover all the possible information and to assure the connections between the historical and geographical data collected and its current applications to the Mozambique boundary demarcation presently in progress, while the global organization and analysis of the different documentary sources will provide a new approach to the historical process of Mozambique boundary implementation that will contribute to a better perception of the past and of the present-day situation.

Documents will be digitalized and data will be selected to be associated with the database and the Boundary GIS paying special attention to the geographic information regarding the precise localization of the beacons and the descriptions of its geographic position. These data will be of extreme importance to build a coherent system generating the evolution process of cumulative knowledge from a fragmentary and punctual knowledge of the boundaries location to a consistent and specific information system easy to share and operate nowadays.

As a cooperation project, the IMAF of Mozambique will guarantee the connections of the project objectives and results with the Mozambique requirements and expectations.

Therefore, the project will not only recover the historical-geographic information and the "know-how" of all those once directly involved in the process of definition of the Mozambique borders but will also produce a structural compilation of documents to enable the building and development of a digital database to support present and future management of Mozambique boundaries. For this purpose, the original data will be submitted to an analogue-digital conversion process to be included in the historical-geographic database, expecting this system will provide the necessary means to support country stability regarding international Mozambique neighbouring countries.

In this sense, the project result will be also a starting point as research and operational tool to improve further investigation and to be used as basis for a continuous

dialogue among neighbouring countries and it should contribute to reinforce international cooperation networks concerning boundaries research, taking into account existing relevant work carried on by specialised international institutions.

3. INFORMATION AND KNOWLEDGE: HISTORICAL AND GEOGRAPHIC DATA

Taking the above mentioned historical and geographic data as main references for the information and knowledge on the process of boundaries implementation in Mozambique we will try to show now their relevance for a new approach to the history of this country, using as example, the border area between Mozambique and the former Transvaal, corresponding today to the borderline dividing Mozambique from the Kruger National Park.

Four operating assumptions underlie the way we will approach the subject:

The first is that the now existing Mozambique -Transvaal area boundary is not a result of the Berlin Conference decision (1885) or of the sequent agreements between colonial powers, namely Portugal and England. Whatever these facts had interfere in the regional geo-political systems other factors had prior importance and were determinant in the border demarcation of this area.

The second is that this process required a long period of negotiations, agreements and joint fieldwork (1856 to 1925) involving directly, but not at the same time, 2 European colonial powers (Portugal and England) and 1 Afrikaner (Boers) and that during all this period the negotiations and works were conditioned by the emergence of several military conflicts in the region (Zulu Wars, Anglo-Boer wars, Gaza Wars…).

The third is that by giving detailed descriptions on the region these documents inform on the all regional features (land, people, geography, climate, landscape, ecosystems, natural resources…) and on the political and economic situation contributing to a wide perception of the regional and local problems and evincing that the major border conflicts in the area arise not from the definition of a borderline but from the controlling actions and the installation of wire fences, from the second quart of the 20th century, along the border to delimitate the Kruger National Park, legalized as a National Park in 1926.

Last but not least, the forth is that any supposed reconstruction or redefinition of Mozambique border lines, namely in the Southern area, must be based upon the precise information relevant from the scientific work done in the past and ratified by the present day

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official institutions responsible for the management of Mozambique and South Africa boundaries in result of the scientific knowledge update and development by the new geo-referenced systems.

3.1. HISTORICAL BACKGROUND OF A BORDER: Transvaal's need of a port *versus* Lourenço Marques development

After a long series of disputes with the Dutch (1730) and the Austrians (1781) for the possession of Lourenço Marques bay, the building of a "presidio" and of a Portuguese fortress in 1789 confirmed the authority claimed by the Portuguese crown over the territories of the bay since the explorations of Lourenço Marques in the 16th century. Simultaneously, the Portuguese settlement was recognized as the South limit of the Portuguese territories in East Africa, which extended along the coastal area from this bay up to the North to Cape Delgado and the Querimba Islands (C.A.T., 1817).

Nevertheless, in spite of the international acceptance of this situation, the British showed particular interest in the area and settled temporarily in the islands of Inhaca and Elefantes where, between 1822 and 1825, they were able to obtain a formal submission of the local indigenous chiefs of Maputo and Tembe. Although they didn't made a direct attempt against the Portuguese, the relation established with these local chiefs provided the British a relevant basis for future interference in this region, as they expected to transform it in a buffer area to the Boer expansion.

Trying to avoid the British jurisdiction in the Cape Colony, the Boers settlers had left the Cape in the 1830s and 1840s (Great Trecks) and established the first independent republics in the North-east territories of Natal and Transorange. Attempting to stop them the British were successful in occupying Natal in 1843 but they failed with the Transvaal and had to formally recognize its independence in 1852 (Sand River Convention). Nevertheless, the annexation of Natal gave the British the control of the maritime port of Durban and the consequent interdiction of Durban as a port to be used by both the Boers of Transvaal and of the Orange Free State, recognized as an independent State in 1854.

Alternatively, the Portuguese port of Lourenço Marques could provide the necessary support to the Boers pretensions. The first contact was probably done by the Boer Louis Trichardt in 1838 but the influence of João Albasini, a Portuguese tradesman owing lands in

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Transvaal, and of Hendrick Potgieter, the President of the Boer Orange Free State, in the 1840s were decisive.

In fact, the first known report on the Transvaal and on the possible special conditions of relationship with Mozambique was sent by Albasini to the Internal Governor of Lourenço Marques in May 1847 (Martins, 1957). However, official relations only started in 1855 and a first convention was signed with President Marthinus Pretorius from Transvaal, in 14th August 1855, 3 years before Albasini was appointed Vice-Consul of Portugal in Transvaal, by the General Governor of Lourenço Marques. The convention would increase the commercial flux between Pretoria and Lourenço Marques, being a guarantee for the exports of the Boers and a stimulus to the growing and development of the Portuguese port.

Even though the commercial purposes of this convention, it was already mention the need to define the border line between the two countries. To respond to this need a first joint commission for the delimitation of the border was formed in 1864 (Matos, 1964:65) and in 1868, preventing the possible loss of some areas on behalf of Transvaal, Albasini offered the lands he owned in Transvaal to the Portuguese crown so that these lands could became a buffer area between Mozambique and the Transvaal. Named as "Portuguese colony of Saint Louis" this granted area was officially recognized by the Portuguese authorities in 1868 (edit of 25th May).

Later on, in 1869, under the pressure of President Pretorius and fearing a new lunge of the British in the area – in 1861 they had attempt the re-occupation of the Islands of Inhaca and Elefantes and in 1869 started hydrographic surveys on the rivers Maputo, Catembe and Pongolo (Leal, 1869) -, Portugal and the Transvaal signed the first *Treaty of Peace, Friendship and Frontiers* (29 July 1869) in which was defined the first border of Mozambique.

The Treaty was discussed and signed by President Pretorius and by the Portuguese Consul in the Cape, Alfredo Duprat, who was officially nominated for this negotiation by the Portuguese Crown and it was ratified in 1871 having legal strength for 6 years; therefore a new treaty was signed in 1875, preserving the same principles of the one signed in 1869, and, finally, ratified in Lisbon in October 1882.

The treaty defined the border along the Lebombo Mountain's crest from the 26º 30' lat. South up to the confluence of the rivers Pafuri and Limpopo by a borderline, for the most straight along the crest, starting east direction and then inflecting northeast till

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Pokiones-kop, north of the Oliphant River, and the nearest point of the Chicundo Mountain, and from there in straight line to the Pafuri-Limpopo confluence.

Although there's no information of any work done by the joint commissions created in 1864 or on the existence of any other border commission, the limits defined by the Treaty of 1869 must have been previously discussed, considered and analyzed *in loco* by experts from both countries. Unfortunately this information is missing in the Portuguese records and we have not the space here to review and discuss the possible conditions, proposals or compensations that were then appreciated and negotiated. However, whatever was behind this agreement, it didn't consider either the position of the Governor of Lourenço Marques or the proposal of Albasini whose lands, by this treaty, were definitely integrated in the territories assigned to Transvaal.

Nevertheless, the Treaty was seen by both governments as a guarantee of independence against the British pretensions on Transvaal and Lourenço Marques bay and considered as an important step towards the cooperation and development of both countries, providing the necessary support to strengthen relations and implement a quick and easier transit system between the interior high lands and the coast. After almost 40 years of contacts and negotiations the Transvaal could finally guarantee the access to the sea and the conditions to implement an old project of a railway connection that will definitely serve to increase the mining industry and will facilitate labor force circulation.

It should be noted that the official documents point out to a close relation of the Mozambique-Transvaal boundary delimitation and demarcation process with the project of a railway connection linking Pretoria to the coast. Despite the responsibility shared on the building and management of the line – Portuguese were responsible for the line Lourenço Marques-Lebombos and the Boers for the one from Lebombos to Pretoria - the previous studies on the delineation of the railway line that were discussed and approved in 1883 (London, 14th December 1883) were the ones done by the Portuguese military engineer Joaquim José Machado, later officially nominated for both the commissions for the boundary delimitation and demarcation of Swaziland (April 1885) and of Transvaal (March 1890) before being appointed General Governor of Lourenço Marques (June 1890). This fact suggests that some of the survey missions to recognize the territory served, simultaneously, to support both the building of the railway system connections and the definition of the borderline between the two countries and that any historical approach to

these subjects must consider its relevance in order to a better perception of the existent relations between Mozambique and the Transvaal in the late 19th century.

In the eve of the Berlin Conference (1884-1885), the Transvaal-Mozambique border line was defined for about 15 years and both governments were preparing commissions to carry on the fieldwork necessary to its physical demarcation, negotiations and works for the railway connection Pretoria-Lourenço Marques were in progress (though the works in the Portuguese side only started in 1886) and neither the conference decisions nor any later additional conventions changed it. As well as Transvaal, Mozambique was also beneficiating of this situation and by the end of the century the small settlement of Lourenço Marques had become one of the most important urban African centers while the port had considerable improvements due to the increasing traffic of goods and people with the Transvaal (M.C., 1913).

3.2 MOZAMBIQUE – TRANSVAAL BORDER: Political framework

Considering this general background we will point now some particulars of the political situation in the region during this period that framework the several steps of the Mozambique-Transvaal border delimitation and demarcation process and evince its relevance in the regional conjuncture.

As mentioned before, the whole process of negotiation and fieldwork was slow and disturbed as it was often interrupted by external causes, namely the British attempts to annexe the Boer Zuid Africaanse Republiek (ZAR / Transvaal), delaying both the delimitation and demarcation works and the final agreement and implementation of the boundary.

The boundary discussions and works started in the early 1870's between Portuguese authorities of Lourenço Marques and the Boer authorities of the ZAR, were interrupted in 1877 when the British annexed the ZAR, previous to the Zulu Wars in 1878, and renewed after 1881, when the ZAR regained its independence after the 1st Boer War (1880-1881). But, at the end of the century, negotiations and works were again interrupted due to the 2nd Boer War (1899 -1902) and will only be re-established after 1910 not with the ZAR, but with the newborn Union of South Africa (USA) in which the ZAR accepted to be part of and with who Portugal signed the final agreement on the delimitation and demarcation of the Mozambique-Transvaal border (1926).

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Needless to say that during this period and other than the temporary annexations of the Transvaal, the British did their best to increase their influence in the area, including in Mozambique, either by contesting the validity of the Treaty of 1869 or by claiming the territories South to Lourenço Marques Bay invoking the formal submission of the local chiefs Maputo and Tembe to the British crown in 1822. After the new attempts to occupy the Island of Inhaca in 1870, they finally agree in 1872 to submit this dispute to the international arbitration of the French President MacMahon who, in 1875, decided in favour of the Portuguese arguments (MacMahon Sentence, 24th July 1875). The sentence had solve precise situations related to the Mozambique-Transvaal border and Lourenço Marques bay but was not an obstacle to the concretisation of the prior British pretensions in Southern Africa, specially after the recent discovery of diamonds in Kimberley (1869) and gold in the Rand area (1886).

It may be important to keep in mind that during the time the British were ruling in Transvaal (1877-1881 and 1899-1902) no special concern was shown regarding its borders or the railway connection Pretoria-Lourenço Marques.

Having accepted the MacMahon sentence, British dispute on borders in South Mozambique was focused in the Tonga lands, the Maputo territories South of Lourenço Marques bay, and they didn't consider any urgency in following out either the recognition of the boundary area or its demarcation. On the other hand, the access to the coast seemed to give no problems as the Portugal - Transvaal Treaty of 1875 granted the British special privileges on the use of Lourenço Marques' port that would not be affected by the new political situation of the Transvaal arising out of the British annexation.

Therefore the British could focus on their own priorities, namely the development of mine industries and the expansion of the railway system by the opening of new lines connecting Pretoria to the Cape (1893) and to Durban (1895). In this way, while preserving the access and use of Lourenço Marques' port for the Transvaal exports, the British assured the establishment of a network that would guarantee under their rule the circulation and export of Transvaal 's mine production as well as the necessary backup to the growth of the ports of Durban and the Cape.

Unlike the British, the Boers and the Portuguese were particularly interested in the definition of a borderline. For the first ones, the border was seen as a guarantee of their territorial independence and national identity against both the British colonial expansion and

the local chieftaincies, while the second ones expected to benefit of this experience and alliance to support their pretensions of sovereignty over other African areas in dispute.

In a broad sense, the Mozambique-Transvaal border was a result of the struggle of the former European settlers against the pressure of the new colonial European powers in Africa and must be consider as a reason of conflict rather than a result of any dispute arising from the Berlin Conference resolutions.

3.3. THE BORDER AS A FOCUS OF KNOWLEDGE AND CONFLICT: Boundary marks, territory descriptions and regional natural resources

We will now focus our attention on the works of the joint commissions considering three different levels: the scientific work, the recognition of the territory and the regional resources trying to show both the relevance of the technical and scientific works and the local changes following these works.

Mozambique-Transvaal border as defined in the late 19th century is an almost straight line of about 350 km between the junction of the Inkomati and Crocodile or Meguanha rivers (25º 25' 36''Lat.South; 32º 5'46,2''Long. E) and the junction of the Limpopo and Pafuri rivers (2º 24' 30,0'' Lat.South; 31º 22' 15,0'' Long. E).The final definition was the result of the readjustments made during the campaign of 1890, when the all borderline was subjected to a systematic fieldwork by a joint commission of Mozambique and Transvaal (MCP 33-2; MCA 16) and later on confirmed and ratified by the last surveys in1929 (MCA 21).

Although this campaign started in 1890, the president of the Portuguese Commission Joaquim José Machado, had been involved in previously survey missions, mainly in the southern area of the border. These missions provided him with a body of information included in the first report he sent to the Minister of Overseas Affaires in the 4th August 1888 (MCP 33-1). Most of this information was related to the works carried out in 1887 in view of the delimitation and demarcation of the southern border between Metinga-tinga and Inkomati Port / Ressano Garcia but he might also have used both the data collected for his study on the delineation of the railway line Pretoria-Lourenço Marques and his experience as chief of the Portuguese Commission for the delimitation of Mozambique-Swaziland border.

The campaign of 1890, first headed by Machado and later by Freire de Andrade, is the very action of demarcating the borderline after the official agreements between the Portuguese and the Transvaal governments on the bounder delimitation. The previous works, based on the decisions of the former Treaty of 1869, had shown the need for a systematic work to confirm or readjust the general headlines of the border definition as few geographic imprecision were detected, namely concerning the location of the boundary marks, the geographic orientation of the borderline and the geographical references of the most relevant natural features in the territory (MCP 33-1). This inaccuracy was a consequence of the technological procedures used by the team responsible for the registries and the data collected even though in some situations could be a result of natural disturbances. Most of the geographic coordinates had been taking by magnetic needle and the existing maps, reproducing this information (JEPPE, 1877), underlined the need of using other methods and appropriate instruments to correct the previous errors, namely on the determination of the geographic coordinates (MCP 33-2). No less important was the missing of some of the former boundary marks previously locate in sandy or flooded areas imposing the choice of the closest point to rebuilt them.

These readjustments were of prime importance for the prosecution of the works as they depended upon the mutual agreement of the commissioners on every change suggested and on every proposal of compensation for lost areas in favour of one of the partners involved. As in other campaigns, during this one the regular meetings between the two commissions were often suspended because of differences of opinion regarding specific aspects of the definition of the borderline or of the boundary demarcation, namely on the borderline along the Lebombo Mountain's crest or on the choice of an alternative place to the last boundary marc of the Inkomati, destroyed and dragged by the floods (MCP 33-3).

The definition of the Lebombo's borderline was one of the most difficult to accept and forced both teams to delay the works and go back to the field to "enable both commissions to lay on the table their sketches and maps for the better explanation of their arguments" (MCA19). Apparently well defined after the corrections introduced in 1875 to the Treaty of 1869, the line turned out to be very difficult to accept by the joint commissions as it was almost impossible to conciliate the existent definition with the very geographic orientation of these mountains and the toponymy of the most relevant geographic features considered (MCP 33-2). And if the first problem could easily be decided with new observations and

registry of the precise geographic coordinates, the second one was much more difficult to solve as it depended upon local people and knowledge.

Local toponymy reflected the regional traditional organization. Different people could give different names to the same place, river or geographic marks but, for the most, mountains, rivers and villages were named according with the name of the chieftaincy they were part of and wide land areas were generally designated by "lands of chief….". If forced to move, people would carry their "names" and, if not in a war situation, the new areas could be named by the previous designations as a process to preserve the identity of the community by keeping the relation people/territory. External observers could be confused when confronted with such situations but this was not a specificity of the African societies and although the indigenous conflicts in the area during this period have forced population movements, there is no precise information on any of these situations in the reports and documents presented by the joint commissions. The closest information we have is on the Gugunhana raids in the area of Chicualacuala and further North East, in direction to Inhambane, but with no references to any forced population displacements (MCP 33-3).

We presume that the toponymy's discrepancy resulted from the way the information was collected and, in this sense it reflected the degree of cognizance of the region. Boers and Portuguese had previously prepared these works based on their own knowledge and experience in the region or in second hand information they assumed to be correct. Once in the field, they were confronted with the inexistence or misplace of certain geographic features they had no previous knowledge, as in the case of Pokiones-kop and Chicundo Mountain (MCP 33-2), but on they have been informed.

This situation evinces the importance of the confirmation *in loco* of all the data collected as the only way to accept the border, and the relevance of the work of the joint commissions for the recognition of the territory.

In fact, if the demarcation works provided the precise location of the boundary marks along the borderline and the building of every beacon involved the previous recognition of the areas around and between the beacons, the logistic support to these works forced a supplementary survey over a wide area with special focus on the local resources, namely water, wood and hunting in order to maintain the people and animals of each Commission's caravan.

We do not intend to discuss the composition of each caravan but it might be interesting to know the amount of people, animals and equipment involved as this can give

an idea on the way these caravans could move in the region, the specific needs of every camp and the particular attitude of each commission towards the area they were traversing.

According to the preliminary report presented by Freire de Andrade, the Portuguese commission caravan was composed by 3 wagons pulled by 55 donkeys and 1 wagon pulled by 14 ox, 4 wagon drivers with 4 assistants and 38 indigenous porters, plus the 5 members of the Commission, 7 horses, all the technical instruments, camping materials and the most possible basic supplies enough to keep alive the 51 persons and the 76 animals of the caravan, while the Boer caravan other than the 5 commissioners was composed by 156 indigenous porters, mostly Swazi, under the rule of 7 police agents from Lybenburg district, and 12 horses. This different composition reflected the capacity of quick movement of the Boers comparatively to the Portuguese but imposed special conditions for their camping area. Other than the need of water they needed to be near good hunting areas. An every day hunting trip was their guarantee of a daily meal, reason why one of the Boer commissioners was a well known hunter, and they could not go far in areas where wild fauna was missing (MCP 33-3).

Official documents inform about the occasional participation of the Portuguese commissioners in these hunting trips but, whenever this happened, the most relevant information is on the identification and description of the different animals and its behaviour, the traditional techniques used by the natives to transport and making good use of the different parts of each hunted animal and on the regional distribution of the different species mentioned (MCP 33-3).

Considering all the existent information on Mozambique-Transvaal border, these documents provide relevant information on the areas of major concentration and variety of wild fauna elucidating on Kruger's decision on the creation of the *Sabie Reserve* in 1898, the first game reserve in the area encompassing a large area between the Crocodile and Sabie rivers that would later form part of the Kruger's National Park (1926) extending up to the Limpopo river.

It might be interesting to note that, very often, one single document can inform on more than ten species observed with special incidence on the kudus, sables, impalas and several types of bucks and bocks, zebras, buffalos, wildebeests, warthogs, leopards, lions, elephants, hippopotamus and crocodiles according to the different areas the Commissions were traversing (MCP 33-3). And, as most of the references were made in close connection with the landscape, we often have a very detailed description on some of the

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different ecozones of this area, namely the *Lebombo Mountain Bushveld*, the *Mopane Schrubveld*, and the several *Alluvial plains* and *Riverine* areas.

The same descriptions provide information on the cyclical movements of most of the animals described, in a close relation with food and water needs, as well as relevant data on the displacements of some species, like the elephants, informing either on the reasons of these displacements – human pressure, hunting ….- or in the new areas they moved in. Though we do not have continuous and systematic information on these displacements along the all border area between Transvaal and Mozambique, the information is quite significant for the region between the Rivers Shingwedzi and Limpopo along the border as well as for the near Mozambique hinterland (MCP 33-3).

Hunting and getting food could have been major reasons for these registries but as both Commissions had specific instructions to conduct a detailed recognition of all the area in order to map the boundary, they were compelled to take notice of all the geographic features as well as of the natural and human resources (MCP 33-2-3; MCP 34-1) . The need to respond to this particular demand enabled the constitution of an exhaustive and extended *corpus* of information on the regions under survey and provides us important data for a better perception of the historical evolution and change of the whole area.

In fact, other than the fauna, flora and landscape descriptions, these documents also report on all the small and disperse human settlements along the border as well as on the land areas they were using for hunting, collecting, herding, farming and watering; being the water an important resource both shared by animal and human communities. Local indigenous chiefs were responsible for the management of the areas they had under their direct control and the water facilities were a major concern, namely in the dry season when most of the rivers were parched and both people and cattle were depending on the few water reservoirs existing in the scarce whirlpools of the main river streams. The access to these whirlpools was then of prior importance for their survival and for centuries they were used to manage their life in the dry season in a close relation to the location of these water reservoirs. For each community, the boundary was their capacity to preserve this relation trying to avoid conflicts with other communities as this would be the guarantee of their survival.

This situation is currently described in the reports of the Portuguese Commission as well as the identification or the location of the major water reservoirs and both the sketches and maps reproduced this information with accuracy. Moreover, all the registries point out

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for the existence of a fluid borderland area allowing free trans-frontier movements of animals (wild fauna and cattle) people and goods, being the people's submission to the Boers or to the Portuguese colonial authorities a question of taxation and to whom the taxes were paid (MCP 33-3).

A similar situation is expressed by the different commercial influence areas of the European and Afrikaner traders present in the region. Portuguese, British, Germans, French and Boer traders, although not numerous or playing an official role as colonial authorities, were amongst those who had a good knowledge on the region in which they were operating. Their influence was shown by the particular links and commitments with the local communities with whom an exclusive trade and tax system reflected the main influence of each one of these external traders. On this specific matter, the existing boundaries corresponded to the limits of the different commercial influence areas. They were known by the local communities and it was rather easy to recognize them, even for those arriving for the first time in the region, as shown by the references to the area controlled by João Albasini in the report of Freire de Andrade (MCP 33-3).

Unlike the virtual definition of a borderline materialized by boundary marks spaced in the landscape that did not affect the daily life of the different communities living in the area, the previous works to implement those marks must have been the first real impact of the boundary delimitation process. Though they did not obtrude any circulation restrictions they imposed severe transformations upon the landscape and consequently in the traditional use of these areas by the local communities.

In fact, once both commissions agreed with the borderline design, topographic and geodesic works had to be done along with the cleaning of the places where the beacons were to be erected as well as the deforestation of the areas around and in between the beacons.

The implementation of the border line agreements required a clear field providing total visibility from one beacon to another. The length of this cleaning and deforestation process was defined, *in loco,* by the joint commissions according to the characteristics of the territory but, in some cases, could impose a clear field of 3km large over a distance 6,5 km separating two beacons (MCA 21).

Other than the landscape change, this process might have deprived the local communities from a substantive part of their vital resources affecting mainly grazing and hunting areas as well as seasonal collecting activities and imposing the search for

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alternative areas to surpass the difficulties created by this situation. However, in a long term, the impact of these actions of cleaning and deforestation was minimized by a rather quick regeneration of the bushes and later survey works have shown the inconvenience of this situation for the good visibility of the borderline while underlining the need of measures to guarantee the necessary visibility, as expressed in the several minutes of the meetings held by the joint commissions during the process of delimitation and demarcation of the Transvaal-Mozambique border (MCA15,16,18 and 21).

Unfortunately, unlike the detailed descriptions on the commissions work or on what they could observe while working, we don't have enough information on the immediate reaction of the people living in this area. Either because most of the region traversed was scarcely populated or because there were no external interests in dispute, as there was in other areas like in the Swaziland (MCP 31:1-3 ; Roque, 2007) or in the Maputo borders (MCP 30: 1-5), the fact is that there is no information on any existent border conflict along the border line Transvaal-Mozambique during this period and all the data collected point out to a rather open area where the circulation of fauna, cattle, people and goods persisted without special restrictions imposed by the existence of a border.

As it was previously mention the process of delimitation and demarcation of the Transvaal-Mozambique border extended for more than 40th years during which a wide area was subjected to detailed surveys in view of its geographic and hydrographical recognition as well as the collecting of information on natural resources and people. Therefore, the fieldwork of the joint commissions for the Transvaal-Mozambique border process resulted in an important *corpus* of information reporting the first systematic recognitions and mapping of the territory, its resources and inhabitants. Revealing the use of new technologies and scientific methodologies that enabled the correction of previous observations, the reports on these works provide valuable and precise information on the location of all the boundary marks along the borderline and show that, until 1929, the agreements on the need of the existence of a border did not bring significant changes.

Apart the forced 1903s removal of the local inhabitants living in the former *Sabie Reserve*, that unfortunately do not have any registry in the documents we are studying, major border conflicts in the Transvaal-Mozambique border area seem not to have occurred before the second decade of the 20th century when the first wire fences were set in place to block the Kruger's Park area and a regular armed surveillance imposed severe restrictions

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to free trans-frontier movements along with rigorous grieves for people, including prison and large penalties (GR AfSul 1946-1971).

Unlike the boundary marks, fences were a physical barrier to the free movement and seasonal passages of animals and people with deep consequences in their daily life, namely the access and use of the different natural resources, particularly the water and the hunting. Though the main reasons invoked by the Kruger's authorities were the defence of the wild fauna from illegal hunters, the preservation of the natural *habitat* existing in the Park, the growing interest in wildlife watching and the control of possible illegal migration movements, it seems clear that one of the most significant reasons must have been the water.

As we said before, in the dry season the access to the water reservoirs was one of the main problems to manage by the local communities. However, though identified and mapped by the joint commissions, water resources were not pondered during the delimitation and demarcation of the Transvaal-Mozambique border. The ignorance on the living and economy of the local inhabitants and on the regional hydrographical system may have contributed to this gap preventing from foreseeing what would be the possible future consequences for Mozambique borderlands as most of the whirlpools were located in the territory granted to Transvaal, and some far behind the borderline. However, for the joint commissions this did not constitute any problem as they were not implementing a physical barrier but only building reference boundary marks to support a virtual border line that would not obstruct natural circulation in the area.

In fact, for almost half a century, the existence of a border without fences had permitted the persistence of the regional seasonal movements much dependent on the existent water facilities and the setting of wire fences was, in fact, the first real obstacle created by an artificial border with deep consequences for the local communities.   By depriving the indigenous communities of the free access to the water reservoirs and of its management, the boundary became an obstacle to the local economy and introduced an element of disturbance on their daily life, namely in the more dried areas north of the Incomati River Basin. Imposing drastic restrictions to the natural circulation of animals (wild fauna and cattle) and people, the setting of wire fences compromised herding, hunting and collecting activities forcing the inhabitants to face dramatic situations during the dry season, by denying them the access to a vital resource, and contributing for a considerable decrease of the regional biodiversity.   Therefore, it contributed to a significant disruption on

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the traditional economy of the hinterland Mozambique borderlands, mostly dependant upon cattle on pasture complemented with a few crops, hunting and collecting, and consequently to the impoverishment of the local communities and to considerable landscape and biodiversity changes.

Whatever might have been the reasons invoked in the 1940s by the government of the Union of South Africa (USA), the control of the water resources have played an important role in the decision of blocking with wire fences the 350kms.of the frontier between the Kruger's National Park and Mozambique as from then onwards the control and management of the regional water resources would be done by the Kruger's National Park authorities on behalf of the USA government.

From a focus of knowledge on the territory and its inhabitants, the Transvaal-Mozambique border has become in less than a century a conflict area, being the water one of the main reasons of this conflict.

It will not be overmuch to underline that the control and access to the water resources became one of the most important present day issues all over the world and that in the case of Mozambique water supply still much depending on the neighbouring countries, namely South Africa for the region considered in this study with special emphasis on the Incomati River Basin (Leestemaker & Tauacale, 2000; Vaz & Zaag, 2003).

3.4. REBUILDING AND REDIFINING THE BORDER

Last but not least we come to the most delicate subject: the modern reconstruction or redefinition of the Mozambique boundary.

As above mentioned, part of the work presented here responds to a specific demand of the Mozambique Government to access the basic information – documents, maps, tables of coordinates… - on the precise location of the boundary marks in order to redefine and rebuilt the limits of the national territory while observing the resolutions of the AU Border Programme. This demand compelled to a first approach to the specific archival documents related to this subject and later on to the definition of a cooperation programme mainly focused on the analyse of the documents of the *Archive of the Frontiers* and the possibility of making them available to Mozambique as, in fact, these documents include all the information requested for the physical reconstruction of the borderline.

However, we would like to underline that though these data are of prime importance they must be accepted and ratified by the present official institutions responsible for the management of Mozambique and South Africa boundaries in result of the scientific knowledge update and development by the new geo-referenced systems. And that this ratification must result of the political will of both nations expressed in new agreements between the governments of the countries involved.

Inherent to this process, the reviewing of the historical background of the border will evince the consequences of the restrictions imposed by the setting of physical barriers in the 1940s obstructing the normal trans-frontier movements of the local communities and depriving these communities from the access to the regional natural resources traditionally used by them. This reviewing will bring to discussion the present necessity of recognising and knowing the limits of the territory of Mozambique as country and as a sovereign nation but it will also enhance the urgency of a reflexion, under the actual political, economical and social circumstances, on the now existing role of the border and on the possible ways of an effective management of the border areas as well as on the importance of the increasing cooperation policies between Mozambique and the neighbouring countries.

The present need to know the exact limit of the national territory is not inconsistent with the possibility of a joint management of the predefined borderlines in an "open space" borderland in order to allow the re-establishment of ancient regional traditional uses and techniques that can contribute to the development of large areas that were abandoned in result of the lack of basic living conditions. And, in this sense, the long history of the Transvaal-Mozambique border can be a good example to take in consideration although the present day situation imposes a rethinking on the way this concept can be adopted.

In fact, in spite of the many problems arising from the implementation of this idea, the recent creation of Trans-frontier conservation areas (TFCA) might be an important step for "boosting economic development and biodiversity conservation" (Osofsky, 2009) in areas previously blocked by artificial boundaries as in the northern part of the former Transvaal-Mozambique border where the creation of the Great Limpopo TFCA in 2002, involving South Africa, Mozambique and Zimbabwe, has become a model for the management of these modern "open space" borderlands (*IMENSIS*, 2006; Giraldes,2004).

Joining the recuperation of a wide trans-frontier natural area, the Great Limpopo TFCA pretends to be a focus of economic development considering not only a programme of nature conservancy and preservation of the wildfauna and the regional ecosystems but

also on the full integration of the different people living the area and the support either to the traditional activities or to the new ones related to the Park's programme (*IMENSIS*, 2006). Sharing experiences, technology and knowledge, the 3 countries involved seems to have asserted in a joint management of a huge area where the expected trans-frontier movements will impose the development of specific cooperation policies (public health, control of animal diseases and epidemics, migration, criminality…) other than the maintenance of the former restrictions and grieves of the past.

This example evinces the need of a straight multi-level cooperation between the different countries involved and reinforces the idea of the borderland as a potential focus of development. In this context, the historical information on the Transvaal-Mozambique border as well as the general information on all Mozambique boundaries is an indispensable support to the knowledge of the territory and its inhabitants. The analysis of this information will contribute to a better perception of the whole region and will provide an important basis for a global understanding of its evolution and changes as well as for a better comprehension of the present day situation.

This paper outlines an initial approach to the process of implementation of Mozambique boundaries through the documents existing in the *Archive of the Frontiers.* It aims to underline the importance of these documents for the present day History of Mozambique and It is the starting point of a research to be extended to all the terrestrial boundary of Mozambique. Any discussion and .suggestions on the way to approach and employ this type of documents in the historiography of the Mozambique border area, and for the moment more specifically on its Southern border, will be most welcome.

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Old Issues and New Challenges: The Migingo Island Controversy and the Kenya-Uganda Borderland.

Peter Wafula Wekesa*

Introduction

As if to vindicate Lord Curzon's[1] 1907 assertion that boundaries are the razors edge on which hang suspended the modern issues of war or peace, of life or death to nations, the present controversy between Kenya and Uganda over the small island in the shared lake Victoria waters has unmasked not only historical but also legal, diplomatic, political, social and economic issues. As recent as May 27 2009, Kenyan parliamentarians voted in support of a private member's motion calling for military intervention to resolve the island crisis. This simmering dispute over the island, barely an acre in size and generally rocky, has brought the two neighboring countries that are strong trading partners and members of the regional East African Community (EAC) at crossroads. The island is occupied by about 500 (estimates vary) people, mostly Kenyans of Luo ethnic community who are predominantly fishermen. Territorially the island has been administered by Kenya since 1926 but was recently claimed by Uganda until May, 11 2009 when Ugandan president conceded the island was in Kenya but the water surrounding it are Ugandan.

The controversy still looms large even today. If one reads the Kenyan and Ugandan newspapers it would be easy to conclude that the volatile situation created by the controversy over the island has penetrated other spheres with little room for an easy solution. The question that several analysts are raising though is why two countries with very warm relations in recent years, who are both committed to further regional integration through an expanded EAC, who are both members of several regional multi-lateral organizations including the Common Market for Eastern and Southern Africa (COMESA), the Intergovernmental Authority on Development (IGAD), and the International Conference on the Great Lakes Region (ICGLR), and members of the African Union go to war or escalate a border dispute to this level? In an attempt to resolve this crisis diplomatically, both Kenya and Uganda decided, in May 2009, to set-up a joint survey team to study and clearly demarcate the border with a view to establishing its precise location. The team was to make primary reference to various authoritative colonial texts and constitutions such as the British order in Council of 1926 that established the current Kenya-Uganda boundary complete with coordinates, pillars and natural features. It was also to rely on schedule 1 of the 1967 Uganda constitution, The Kenya Colony and Protectorate (Boundaries) Order in Council 1926, and Kenya Legal Notice No. 718 of 1963, Schedule II Boundaries, Part I, the Districts, 37, Busia District and so forth. Although the survey team was to conclude its work by mid July 2009, it ended up in squabbles as the Ugandan team pulled out before the end of the exercise thus further escalating the crisis and deeming any hope for the resolution of the dispute in the expected short term.

The controversy over the ownership of Migingo Island doesn't necessarily appear isolated in regard to the more recent history of disputes around African boundaries. Yet it opens up to new debates and unresolved issues around the emergence, nature and transformation of borders

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[1] For a full reference on Curzon's quotation see Curzon (1907), Mc Ewen (1971) and Ben Arrous, (1996) in which the authors emphasize not only the centrality of state borders but their integrity in defining sovereignty and fostering the existence of the state.

generally, and their significant role in addressing pertinent questions of territoriality, citizenship and nationhood. Though traditionally conceived as barriers, borders are increasingly providing what Nugent and Asiwaju (1996) call 'conduits and opportunities" that are constantly challenging the statist avowed management and control strategies. Like other border controversies elsewhere in Africa, the Migingo case raises new reflections against the perception that border areas are marginal spaces that could be ignored. It indeed underscores new realities to the problematic manner in which colonial borders in Africa were drawn and also brings into focus the border populations and the social, cultural and economic relations they generate across the dividing lines.

The purpose of this paper is to reflect on the Migingo controversy within the general hindsight that appreciates the multifaceted nature of the boundary question in Africa. While drawing on the rich body of literature, the paper faults the state-centric approaches that overwhelmingly support state power as opposed to border communities as important agents in fostering change along common borders. Our argument is that borders and border relations are good barometers in testing good neighborliness and regional integration and should not be left at the whims of the political elites in the respective countries.

It all Begun in Berlin: Migingo and the African Border Crisis

Anyone keen on appreciating the gravity of the Migingo crisis can hardly fail to reflect on the historical nature of the border question in Africa. Borders and border zones, defined as regions at the frontier of national or international boundaries, still remain the centre at which questions of territoriality, citizenship and nationhood are contested, negotiated and settled world over. In Africa like elsewhere, the main issue, as Glassner (1996) argues has not so much been the physical location of the boundaries, but rather the meanings and values attached to them and which are related to the historical milieu defining their emergence, development and transformation. Meaningful reflections on the African border issues need therefore to pay attention to the historical moment defining this critical phase of their evolution and transformation over time. In this regard, the Migingo controversy could just provide a window to this reflective moment that should probe the pre-colonial, colonial and post-independent phases of this long trajectory.

Generally, scholars who study the history of African borders have appreciated the central role played by the 1884-85 Berlin conference in the transformation of African borders. It was at this historic moment that African borders were drawn by various European powers keen on extending their economic, political and strategic interests into the continent. Before the Berlin as Mbembe (1999) has argued, the historical geography of the continent left much interstitial space open for the pulsation of a series of specialized areas, sometimes described as 'trade areas', 'government and military areas', 'linguistic areas' or 'religious and cultural areas'. Not only had these areas very mobile confines, depending on the ups and downs of inter-societal relations, but also overlapped without necessarily coinciding. With the onset of colonialism, together, with its concomitant social, economic and political restructuring of African lives, boundaries were, in most cases, drawn across well established lines of interaction, dividing various African culture areas. In this sense, forms of inter-societal relations, including, in every case, a dominant or active sense of community based on traditions concerning common ancestry, usually very strong kinship ties, shared socio-political institutions and economic resources, common customs and

practices, and sometimes acceptance of a common political control were disrupted (Asiwaju, 1985; Nugent and Asiwaju, 1996).

There is little doubt among the foregoing scholars that the kinds of crises we have in Africa over colonial borders, including the one of Migingo should be located to Berlin and specifically to colonialism. That it is the changes that took place at that time that continue to have a profound impact on the historical trajectory of the continent both in the colonial and post-independent periods. To these scholars, there is little disagreement that the arbitrary nature of African boundaries due to their largely colonial origins and their transformation over time provide part of the explanation for the continent's contemporary problems (Davidson, 1992; Donnan and Wilson, 1998). From their arguments, it is easy to understand why both the Kenyan and Ugandan governments are keen to refer to the colonial documents that created the common border between them in an effort to resolve the Migingo crisis. The statement here is that the colonial era still remains a key reference point in the attempt to resolve contemporary issues in Africa.

But to what extent can we argue that the Berlin or more specifically colonialism is responsible for the creation of African boundaries and thus should be blamed for most of the current African border crises including the Migingo one? More crucially is the question as to why it has taken too long for the African governments to resolve its border issues years after their attainment of independence? Some revisionist scholars have indeed questioned the relevance of the Berlin argument by pointing out that the much vaunted Berlin conference did not really accomplish much of lasting significance beyond international recognition of the partitioned areas (Katzenellenbogen, 1996). What the latter view suggests is that there need to refocus our analysis beyond the Berlin conference in order to fully comprehend the unique history of the transformation of African borders. It is true that colonial boundaries share part of the responsibility for some of the continent's current predicaments. Indeed as is pointed out, more often than not some of the current African conflicts have arisen from border zones (Asiwaju, 1985; Martinez, 1986; Nugent, 2002). There is therefore a validity in the argument that borders are primarily a source of some of the current political conflicts that not only undermine national peace but also slow down the pace of international cooperation and integration. At the centre of such conflicts has been a breakdown of relations between the relevant states and communities traversed by the common border. The case of Migingo ably captures this reality.

Yet, in devoting all our energies to the Berlin and colonialism we fail to answer the question as to the persistence of border conflicts in Africa long after independence. Ben Arrous (2000: 8) has in part tried to provide the answer as to why African countries are still being confronted by border issues and challenges. According to the author, the continent has not responded more effectively to the challenges posed by its borders in order to directly confront the questions of conflicts, inter-community relations and cross-border cooperation. This has been due to the fact that various African countries fail to appreciate and acknowledge the vitality of African spaces and most importantly the cost of this failure in terms of human lives and human suffering. Ben Arrous seems to share this view with several analysts who accuse scholars that blame the current border problems in African on Berlin and colonialism and instead calls for the refocusing of the debate to the post-independent African state and its failure to deal with various colonial legacies and their impact on political governance and policy issues.

The case of the artificial or arbitrary nature of African borders as being an explanation to why they still pose problems has been a fiercely contested one in scholarly circles. Some scholars

have argued that borders everywhere are artificial and that the case of African exceptionalism is weak (Clapham, 1996). The fact that boundaries are scarcely ever 'natural' seems an obvious truism. Other scholars do agree that the current borders are erratic in nature but suggest either that they have had few deleterious consequences (Touval, 1969), or that they are an asset for state consolidation (Herbst, 2000). Still others agree that Africa has suffered from its partitioned nature but see the costs of reshuffling states as greater than the hypothetical benefits and therefore suggest for efforts towards regional integration within the borderlanders[2] perspective (Nugent and Asiwaju, 1996).

Perhaps, one of the striking features that the current Migingo controversy has revealed is that beyond the intellectual morass on whether the Berlin or the independent regimes should bear the responsibility for the crisis is the reality that African borders still pose a challenge several years after their inception and after African countries attained their independence. A critical question then is why African countries allow themselves to sit on a volcano waiting to erupt at any opportune moment? Part of the answer to this could be located to the very manner in which post-independent African states have failed to outlive and confront the inherited colonial institutions, including colonial boundaries. Indeed the Migingo dispute and the references sought to colonial documents (as a possible resolution) underscore this failure.

Migingo: Sovereignty and State failure in Post Independent Africa

It is important to contextualize the Migingo crisis within the wider panoply that appreciates the shortcomings of the post independent African state in confronting border and related challenges. Presently, the African continent is confronted by many socio-economic and political problems and issues. After several years since the attainment of political independence, the performance of several countries has not been impressive. Hunger, political strife, severe limitations to civil liberties have all grown in intensity, leading some observers to conclude sadly that African independence was an abysmal failure (Davidson, 1992). Many of these negative socio-economic and political conditions that have increasingly been characterized by conflicts, state failures and the criminalization of the structures of authority have heightened the urgency on the need to address the situation with a view to offering suggestions and solutions.

Without sounding escapist, most of the problems that have beset African countries and affected the daily lives and material conditions of millions of people are associated with particular countries' deficiencies in the manner in which they manage their social, economic and political affairs. This failure has often led to divisions and conflicts (Ogot, 1996; Nzongola-Ntalaja and Lee, 1997). Conflicts arising from ethnicity are perhaps one of the miseries that are central to Africa's current situation. Conflicts and divisions have constantly challenged the different countries' abilities to forge national and regional harmony in order to effectively confront the numerous socio-economic and political needs of the people. That border conflicts are just part of the larger gamut of African challenges is true. Yet, African countries still find some solace in wholesomely blaming colonialism and colonial institutions for their failures. To be fair, there is a sense in which the African colonial past could explain some of the current challenges, but in my

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[2] We use the term borderlands in this paper to refer to regions lying along and across the boundary separating one country from another. Hansen (1981) regarded such regions as 'sub-national areas whose economic and social life are directly and significantly affected by proximity to an international boundary. The occupants of these regions are thus referred to as borderlanders.

view this explanation stops to make sense if one compared the performance of African states with that of other well performing yet formerly colonized areas outside the continent. On the other hand, the time lapse between independence and now is too disarming as not to raise a counter question as to what African states have been doing ever since colonialism ended.

In terms of border issues and their legacy in the post-independence period, it is necessary to examine the structures that created and maintained them since these structures dictated their resilience and transformation over time. Aseka (2005: 6) has observed that the bureaucratic and prefectural state apparatus set in place by the colonial administrators became the central focus of the contradictory social forces involved in the social transformation of most African states. That these contradictions of social forces over which the absolutist state presided were reproduced within the prefectural form in terms of the ceaseless dialectic of centralization and fragmentation, which shaped and indeed continue to shape the axes of cleavage in the post independence period Africa. This is central to the extent that whether as pretexts or real causes of conflicts, borders and border populations (individually or in groups) and the relations they generate across the boundaries have functioned as catalysts and compelling influences on the quality of communication between the respective political regimes and administrations existing on both sides of the common border.

The border question confronted the newly independent African states with two major problems. The first related to whether, looked at in terms of the nature of their evolution, such borders, inherited as they were from the colonial period should be accepted and respected or be revised. The second issue related to the nature of policies that needed to be adopted in regard to trans-border transactions between partitioned cultural groups and whose impact transcended individual nation-state entities. Though related, the two problems generated diverse responses and policy shifts among the various African political elites. As with other border cases, the Kenya- Uganda one had separated peoples that shared a socio-cultural past including the Luyia, Iteso, Sabaot, Pokot, Luo just to mention a few. It was obvious then that the newly independent states had to grapple with both the international as well as the domestic dimensions of the border reality. Whereas the international dimension called for the state's involvement in emphasizing its sovereignty, the fluid cultural zone informed by strong historical ties among the various partitioned communities consistently shaped the nature of long term interactions among them at the domestic local level.

By the time Uganda and Kenya attained their political independence in 1962 and 1963 respectively, both the international and local dimensions in regard to border management presented the political elites in the two countries with some paradox of sorts. While it was clear that the local dimension could hardly be ignored given that it was bound to challenge the stability of the two administrations in their quests for hegemony, control and nation-building, it was hardly surprising that the two regimes resorted to defining and controlling the border from the centre. In this regard, cross-border activities among the various socio-cultural peoples became secondary to the two states' objectives of consolidating their different national sovereignties. In any case, the process of political consolidation was to require territorial stability as the most viable means of maintaining national integrity and engendering nation and state building. What was urgent then was that since the two countries had been incorporated into the new international system, they had become sole agents of change within their separate judicial and territorial bounds (Ojo, 1985). Having acquired exclusive sovereign rights, both Kenya and Uganda were

to make and enforce laws of the state, decide and carry out the state's policies, both domestic and international, and conduct official relations with other states operating in the international system.

The import of the foregoing argument on state consolidation in reference to the border scenario is that the common international border became an asset in as far as it emphasized each state's primary active role in the economic, diplomatic, political and military affairs of its people. It is in the light of these quests for national sovereignty that one can appreciate why the independent states in African inherited the colonial borders and justified their actions through the Organization of African Unity (OAU). Central to the process of creating national sovereignty and state was the issue of boundaries and how they would differentiate national groups from others. There was a need therefore to use the inherited borders in creating nation sovereignties and imagined national political communities (see Anderson, 1983). Anxious in encouraging a national sovereignty, or dichotomy to use Barth's words, however the new leaders were compelled to look inward and to rank as their first priority the political, economic and social developments of their own polities (Barth, 1969). The extent to which national consolidation received high priority, the less the attention was paid to relations between communities that had strong inter-state cultural bonds.

OAU, which was established on May 25, 1963 with the intended purpose of promoting the unity and solidarity of the African states as well as acting as a collective voice for the continent was central to the sanctioning of colonial boundaries and emphasizing strong feelings of nationalism between and among the various member states. In Kenya and Uganda, as the case was elsewhere in Africa, the commitment of the leaders to the Pan-African ideals only mattered in contexts where they didn't conflict with the various national interests. On colonial boundaries specifically, OAU's sanctioning of their continued existence tied neatly within the new leader's quests for the national integrity. OAU thus succeeded in pre-empting claims to territorial regimes by accepting in principle that boundaries inherited from the colonial period be retained *faute demieux.* Like the UN, its mother organization, the OAU stressed in Article III (3) and (4) of its Charter the respect for the sovereignty and integrity of each state and the peaceful settlement of disputes through negotiation, mediation, conciliation and arbitration.[3] Although this resolution was critiqued for being unrealistic by four African states, including Somalia, Togo, Ghana and Morocco, the unanimity of support exhibited by the other African leaders made their case irrelevant. The latter states had justified their objections on the grounds that the boundaries of their respective countries cut across ethnic groups that had a right to be united and incorporated within one state (Touval, 1985: 223).

The relevance of the OAU resolution in regard to the maintenance of the status quo as far as African borders were concerned was central not only in state consolidation but also in defining their (mal) functioning imperatives throughout the independent period. By sanctioning the continuity of the colonial boundaries, the OAU became an important institution in the transformation of these borders and in the independent states' role in institutionalizing policy frameworks that favoured the strict adherence to the sanctity of the nation-state borders. As a policy choice therefore, the independent regimes used the sovereignty argument to refrain from any policy choices that could deal with cross border issues and populations by retaining the validity of these borders both as territorial markers and separators. Yet, the reality of the porous

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[3] For an incisive discussion on the OAU, its origins and Charter see C. Zdenek (1969) and T.O Ellias (1965).

nature of the common border as reflected in the everyday economic, cultural and political activities of the border populations made the statist policy choice impractical. The cultural fluidity around the border generated various forms of informal and sometimes underground initiatives that constantly challenged the state and indeed denied it viable revenue sources.

It is Our Fish: Migingo and the Dwindling Economic Fortunes

The Migingo island dispute represents not only a tussle over sovereignty by Kenya and Uganda but is indeed also a case in the dwindling economic fortunes for the great majority of the population in the region. That the conflict is only about two years old when in actual fact the final Kenya-Uganda border demarcations were made by the British way back 1926 is in itself a pointer to the nature and changing fortunes for a great majority of the population. A close look at the available sources on the history of the island indicates that it was first inhabited 1991. Before this time, we assume, Migingo was a fairly unknown area full of rocks, weeds and perhaps merely inhabited by birds and snakes. By June 2004, when the Ugandan marine police came and pitched tents on the island and hoisted the Ugandan flag, several people, from both Kenya and Uganda and mostly fishermen had found Migingo an ideal launching pad for their economic escapades in Lake Victoria.

As has been observed above, it is erroneous to locate the dwindling economic fortunes in Kenya and Uganda to the time the Migingo dispute came out into the open. Although it is difficult to assume the impact of global developments, the poor manner in which the economies in the region have been managed has left majority of the ordinary people in the constant struggle to make a living. Especially for the Migingo case, fishing across Lake Victoria has remained a key source of livelihood. The Lake, which is shared between the three members of the original East African community- Kenya, Uganda and Tanzania, has been at the centre of the booming fishing industry for decades. Yet, the growing mismanagement of the lake has had far reaching consequences in terms of depletion of fisheries, threats to livelihoods through job losses, interference in power supplies, food insecurity and potential armed confrontations between the countries in the region (Okumu, 2009). Migingo on the whole represents a clash between Kenya and Uganda over fish- in fact declining fish stocks.

The fish industry in Kenya and Uganda is currently suffering because of fish scarcity. This scarcity, amid the ever increasing demand especially of the lake Victorian Nile Perch both in the local and export market is being occasioned by a number of challenges. According to Okumu (2009), the greatest threat has been from the unscrupulous fishing with gear that depletes fish stocks and other marine species, as well as dumping for industrial and urban effluent from Kisumu, Kampala and Mwanza. In the author's view, the row over Migingo overshadows a critical concern about the poor fisheries governance on Lake Victoria that has led to the scramble over depleting Nile perch stocks. This scramble over fish stocks could not have been captured better than through the Ugandan president's pronouncements on 11 May 2009 conceding that the disputed island was indeed in Kenya but the waters around it are in Uganda.

Perhaps, what has made the scramble over Migingo waters more worrisome has also to do with its location vis a vis the fishing management strategies adopted by the various governments in Kenya, Uganda and Tanzania. While the island is located just about ten kilometres off the Sori-

Bay in Karungu division, Migori district in Kenya, it is over one hundred kilometres away from the nearest land point in Uganda, though administratively Ugandan authorities claim that it falls within the boundaries of its eastern district of Bugiri. This location has presented more opportunities to Kenya as compared to Uganda in regard to the manner in which its fishermen organize their activities. While it is easier for Kenyans to cross over to Migingo, it is fairly difficult for the Ugandans to do the same. This has compounded a major debate over the fishing rights between the nationalities of Kenya, Uganda and Tanzania given that Kenya owns only 6 percent of the Lake Victoria waters compared to Uganda's 49 percent and Tanzania's 49. More often than not Kenyan fishermen have been arrested by both Tanzania and Ugandan authorities for illegally fishing in foreign waters. Once arrested the fishermen are required to pay a fine on top of their fishing gear being confiscated. In an effort to check illegal fishing however, the different countries have initiated a fishing revenue tax. Indeed the latest flare up over Migingo arose when the Ugandan authorities kicked out several Kenyan fishermen from the island for failure to pay fishing fees.

The contest over fishing rights around Migingo has raised diverse debates. On the one hand there is feeling among Kenyan fishermen who are a clear majority that there is no way they can pay fishing fees since Migingo is in Kenya. In any case these Kenyan fishermen view the acts by Ugandan authorities as a clear onslaught on Kenya's sovereignty. A case in point was when Uganda's fisheries minister, Fred Mukisa, ordered the inhabitants of the island to elect a local council leadership and the Migingo Beach management unit to be in charge of the affairs of the island. Although the authorities required fishermen to pay the fishing fees of Uganda shillings 50,000 and an annual boat licensing fees of Uganda shillings 150,000, the Kenyan fishermen refused to pay this prompting the Ugandan authorities to throw them out of the island. On the other hand, there are arguments to the fact that most of the Nile perch breed on the Kenyan side of the lake and swim over to the Ugandan and Tanzanian waters after hatching. This view seems to be supported by marine studies thus raising the stake of the Kenyan fishermen in Tanzanian and Ugandan water. The view by the fishermen is that if the fish is bred on Kenyan side, there is absolutely no reason why Kenyan fishermen should not have a stake in it. What then clearly emerges out of these diverse debates surrounding legal fishing areas and the origin of fish seem to be complicating the crisis.

Migingo and the Challenge to Regional Integration

Whether the Migingo dispute between Kenya and Uganda is about sovereignty, economic resources or the failure by the independent states to address border challenges is not in doubt. However, the centrality of these issues brings to question the role of regional organizations especially the EAC in not only promoting regional peace and integration but also instituting mechanisms that would address challenges arising from shared resources. Indeed the greatest paradox revealed by the Migingo crisis is that beyond the official rhetoric that has emphasized the gains of EAC in the recent past underlie basic economic, ideological and political issues that require urgent attention.

Regional integration as a dialectic unity of social, economic and political processes has been used to describe any international grouping which is less than global in scope, and which is characterized by some mutual relevance among its members (Adetula, 2004). Such mutual

relevance can be based upon frequency of cross border contacts and transactions, common aims and attributes, economic complementarity and many others. Regional integration basically aims at subverting the limitations generated by state borders by expanding the social, economic and political benefits available in the region and beyond to the various peoples in the region.

From the outset, the history of regional integration in East Africa generally and in regard to the specific Kenyan-Ugandan case has been a challenging one. As already observed, the countries in the region since independence were more keen at encouraging national sovereignty and were thus compelled to look inward and rank as their first priority the political, economic and social developments within their specific polities. In this regard national consolidation received high priority than any pretensions towards regional integration. Regional or cross border matters were often than not conflated within strident economic competitions and strong feelings of nationalism that spread across the region. Such regional issues could only provide a common platform in contexts where they did not conflict with the various national interests, including security, prestige and economic advantage. The case of the maintenance of colonial borders has been highlighted above.

But as Nugent and Asiwaju (1996:9) have observed there has constantly been an inherent tension between the new ideology of "nationalism" espoused by the political establishment and which assumed that people belonged to one nation or another, and the reality of borderlands where communities merged into one another in spite of the official lines of demarcation. Thus whereas the common border provided an opportunity for national consolidation, it was, so to speak, also a double edged sword that provided a challenge to the new states. The need to address the latter challenge through a regional platform was indeed emphasized by the fact that although some peoples resided in different countries, their common identities, characterized by similarities in language, customs, values and symbols, among others, persisted because of the existence of reciprocal ties and relations carried out across the border. The Migingo crisis has also demonstrated the existence, across the borderland, common means of deriving economic livelihoods. Lake Victoria in which Migingo island is found has for decades provided potential fishing grounds that have benefited the people of Kenya, Uganda and Tanzania. It is equally providing dependable transport services through shipping among other opportunities for the countries in the region. Indeed as Okumu (2009) has rightly observed Lake Victoria can best be described as both the heart of EAC and the basic binding physical feature that defines the region. Apart from Lake Victoria, one can identify common resources around Mount Elgon that sits astride the Kenya-Uganda border, common pastures around the Pokot borderland among other shared resources.

The need therefore to have a regional approach in the management of such shared resources and potentials has been central to the social, economic and political developments in the region. The signing of the treaty establishing the East African Co-operation on June 6, 1967 was the first clear response by the independent states of Kenya, Uganda and Tanzania to the fact that the three countries could not socially, economically and politically meet their national objectives without incorporating inter-state integration arrangements within their developmental agenda. EAC thus came to characterize various broad social, economic and political initiatives that were hoped to increase the bargaining power of the respective countries within the international political economy. The uniting strand within such initiatives therefore was a sense that as individual states, they could not readily achieve their goals in isolation from their neighbours. EAC treaty

therefore signaled a major development in inter-state relations in the region since from the state-centric view, the member states committed themselves to an economic course that was destined to benefit the peoples of the region (Ochwada, 2004:9). This EAC spirit is indeed captured in later regional social, economic and political arrangements East Africa including the East African Community (EAC), COMESA, IGAD, ICGLR among many others.

These regional organizations have however had their share of set backs of which the Migingo reality clearly unmasks. For instance, although the first EAC made significant gains, its collapse in 1977 unmasked some of the major contradictions inherent in its functionality. Ideological and economic competitions among the political elites as well as their unwillingness to forfeit political and economic sovereignty were issues at the centre of the collapse of the first EAC. More significant is that the state-centered economic arguments fronted by the first EAC hardly paid attention to the particular social, economic and political histories that informed the countries whose peoples were meant to benefit from the integration initiatives. Although it is too early to see the full impact of the new EAC that came into force in the mid 1990s, its silence over the Migingo crisis could only be a pointer the existing threats to its survival. So far however the new EAC seem to have been making important gains in regard to de-emphasizing the statist and economic orientations, issues that were clearly behind the demise of the first EAC.

But why has the EAC been silent over the Migingo crisis, yet it is clearly threatening regional peace and stability? So far, there seem to be little mention of resolving the crisis diplomatically through the EAC conflict resolution mechanisms. This is particularly worrying given the heightened tensions generated in the region by the public pronouncements by politicians. While the Kenyan authorities have in the past assumed a diplomatic stance to the crisis treating the affair as "a non issue", Uganda seems to be more proactive. It first and foremost ejected the Kenyan administration police who were resident on the island, hoisted the Ugandan flag, imposed a curfew on the island at one point, imposed a fishing revenue tax on Kenyan fishermen and arbitrarily arrested Kenyan citizens on the island. All these activities constitute a state of hostility between the two countries. The media and public pronouncements both in Kenya and Uganda have not made the situation any better. In Kenya specifically sections of the populations seem to see a weak response from President Mwai Kibaki's administration. Indeed there has been a great debate on why Kenya's military force could not be deployed on the island to protect Kenya's threatened sovereignty. In mid April this year a group of Kenyan youths uprooted the main Kenya-Uganda railway to protest against Uganda's Occupation of Migingo. Since the railway has remained a key supply valve for the Ugandan economy since the colonial period, the actions by the youth sent a strong signal.

As if a replay of the political and ideological differences among the political elites that preceded the collapse of the first EAC, the public pronouncements by the politicians have been contradictory at best and inflammatory at worst. Yet all this has been happening without any politician being reprimanded by the EAC. While the official rhetoric seem to emphasize the strong economic achievements made by the EAC and indeed the need to fast track these initiatives, the individual political and ideological rivalries generated around the Migingo issue especially among the power elites in Kenya and Uganda portray a different picture. One wonders whether the EAC will at any point re-assert itself amid the varied power interests at play in the region. What perhaps one can say in regard to Migingo is that border issues still remain conflated within the various sovereign entities each jealous of its territorial integrity and national

autonomy. Contact within such regions will remain contacts of conflict rather than of harmony as long as the regional initiatives are not handled more proactively.

In Lieu of Conclusion

The popular discourses framed around the Migingo crisis are generating both exciting and revealing moments on the various talk shows on local FM radio stations in Kenya and on the internet. Two are particularly significant in trying to appreciate the gravity of the Migingo crisis and how the various interpretations point to its possible resolution. One such discourse revolve around the fact that the lackluster manner in which president Kibaki has handled the crisis has been due to the fact that he had donated the island to his friend president Museveni of Uganda as a reward for supporting him during the post-election crisis that was witnessed in Kenya in early 2008. The second discourse revolve around the issue that the Migingo crisis is not about the sovereignty of Kenya and Uganda but it is more about president Museveni's dislike for the Luo people who live around the lake and on the island. Though there are clear justifications by the various framers of these discourses, it is important to emphasize the fact that in the two discourses the centrality of politics in the Migingo crisis is highlighted. It is true from the discussion above that politics could be at the centre of the crisis. However, treating politics in isolation of other critical issues like the divisive legacy of colonial boundaries, competition over trans-boundary resources as well as the failure to address such trans-boundary issues through regional mechanisms is to miss the mark. The Migingo crisis has clearly unmasked these latter issues in ways that seriously questions the status of the post-independent state in Africa in its pretensions towards addressing them.

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Teaching the African boundaries in Guinea

In 2008, I chose to undertake a History PhD about the origins and the evolution of the Nigerian boundaries. I recently narrowed my subject to the kingdom of Bornu situated on the western shore of the Lake Chad in the nineteenth century. Thus, I want to show the evolution of the boundaries from the pre-colonial era until today.

Furthermore, in March 2009, I taught in Guinea, at the University of Kankan, an undergraduate and postgraduate course about the African boundaries. I was able to teach this course because of the academic links between French universities and French speaking countries in Africa, more precisely, the University of Paris I Pantheon-Sorbonne and the University Julius Nyerere of Kankan.

The aim of this course was to give an update about the recent historiography about the African boundaries and help the students to realise the specificities of the African boundaries in addition to considering the different protagonists' role in their creation and evolution.

As I was sent to Guinea as a French citizen, I took part in the cultural politics of France towards its former colonies. This cultural aspect is one aspect among others of what the French government still call "coopération". In 2004, France devoted 1 billion 229 million Euros to education in Africa[1]. Since 1999[2], through the "Cultural Action and Cooperation Service"[3] of the French Embassy in Guinea, two French academics have been sent every year to Kankan[4]. Furthermore, the "Cultural Action and Cooperation Service" of the French embassy in Guinea have funded some Guinean students to do their postgraduate studies at Paris I Pantheon-Sorbonne.

Obviously, this "cooperation" is not entirely free as countries like Guinea are becoming French clients. As recent military actions in Chad prove **it**, this cooperation is not limited to education. Every single "coopérant" is aware of his or her responsibility towards his and her students and intends to be as less partial as possible while teaching.

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[1]Figures for certain years can be found on the French Foreign Office (Ministère des Affaires Etrangères)websitehttp://www.diplomatie.gouv.fr/en/IMG/pdf/Resume_du_rapport_en_anglais.pdf [consulted on 27th August 2009]
[2] In 2008 and 2007, this exchange was interrupted for "political reasons". In 2009, the cooperation was still possible thanks to Adrien Kamano (University of Kankan), Joel-Maxime Millimouno (University of Kankan) and Pierre Boilley (University of Paris I).
[3] Service de Coopération et d'Action Culturelle (SCAC) de l'ambassade de Guinée.
[4] In 2009, Jean-Pierre Bat and Vincent Hiribarren

This paper will consequently discuss the difficulties of preparing a course based on the notion of African boundaries for African students without succumbing to the simplistic antinomy of the good or bad boundary.

Simultaneously, the Guinean students' reaction to these ideas will be analysed as they handed over an essay, the subject of which was: "Stakes and dynamics of the African boundaries from the nineteenth century until today". It is not thought that the 400 present students are representative of the Guinean society as a whole; however their reaction allows a better understanding of an educated Guinean generation born between 1985 and 1990.

Finally, this paper will show the importance of the Guinean political discourse on the representation and management of the boundaries.

1. Boundary: the good, the bad and the ugly

Writing about the African boundaries means avoiding anti-colonial clichés as the main difficulty resides in avoiding contemporary political judgments conveyed by the media and a pan-Africanist vision of history. Thus, the first part of this paper will concentrate on the historical conceptualisation of the African boundaries.

The first problem encountered when I wanted to conceptualise the boundaries for the Guinean students was that I wanted to avoid classifying the boundary along judgmental criteria. Indeed, the African boundaries have long

been decried in European and African media. It is commonplace to evoke their arbitrary creation and the conflicts they have engendered.

I therefore chose to explain the concepts of "natural boundaries" and "arbitrary boundaries" to clarify these key-terms. I originally assumed that the idea of a "natural boundary" was totally rooted in Guinean minds as Guinea used to be a French colony and this was a successful theory in France.

Indeed, most students bore in mind that rivers and mountains as natural boundaries are good boundaries. This idea is a strong echo of Vauban's ideas of *pré carré* at a regional level. This specific word was employed as it had been reused to define French conception of her role in Africa. To create a *pré-carré* means having definite natural boundaries around the Guinean territory. Therefore, it is necessary to adjust the boundaries to a physical territory. Thus, the question of the artificiality of the boundaries was obvious. As many students underlined, it was necessary to adjust the boundaries to the natural landscape. Thus, they stressed the paradox of their human creation, their artificiality even if the boundaries lie on a natural feature. This last remark triggered the question of the "artificial and arbitrary" boundaries. The fact that every boundary was a man-made creation and was consequently arbitrary seemed to provoke certain unrest between the three hundred students.

One student consequently asked me while pointing at me:

"Why did you, white men, create borders on our beautiful continent, Africa?"

It is clear that this vision of a peaceful and idyllic pre-colonial Africa still prevails among a few of them. The course considered the fact that Africa as any other continent had a long history. This was an occasion to remind the students of the various empires built in western African since the creation of

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the empire of Mali. Thus, as a French citizen and as an Africanist, I had to evoke various constructions of boundaries in western Africa before the colonisation: I faced the paradox of being a European explaining to Africans that they had a history. This last remark divided the classroom in two opposing sides: those who credited the Europeans for the invention of the boundaries and those who were more circumspect.

Furthermore, some students even mentioned the times when the land was undivided between men and there were no borders on earth. This vision of history can be found in socialist countries where Rousseau's and Engels's theories were taught to the students. Thus, some students tend to apply these theories on the African continent and lay the blame on "private property" which encourages self-interest, hence provoking Africa's corruption.

Therefore, for the question of invention of the boundaries in Africa, I perceived three different influences. First of all, a certain French vision of the natural boundaries still prevails. Secondly, a pan-Africanist and ahistorical vision of Africa exists. Finally, a Marxist vision of property is discernable among some of the students. These different influences are as many time layers for the conceptualisation of the boundaries in Africa. Their interminglement is not surprising as Guinea used to be a French colony (1884-1958) and a Marxist country under Sékou Touré. Numerous conceptions of the boundaries are therefore inherited from these different periods. Bearing these different time layers in mind, it was necessary to expose the different theories about the African boundaries to show the state of the research in 2009.

2. The African boundaries in theory?

Firstly, this lecture concentrated on the importance of Igor Kopytoff's theories in anthropology to explain the concept of frontier of settlement reproducing the metropole's society while adapting to its new socio-economic context[5]. This theoretical approach to the question of the African boundaries allowed the students to understand the continental patterns for the creation of political entities. As most of them were not studying anthropology, the course focused more on the possibility to draw or not a continental frame for the creation of the boundaries in Africa. The continental scale used by Kopytoff explained some settlement patterns, however, as most students underlined, it could not explain the existence of other smaller identities in West Africa.

One case-study present in the second part of Kopytoff's book underlined the creation of identities in the case of the Kpelle in Liberia[6]. As the Kpelle are also present in southern Guinea, this case study could be considered as relevant. When the Kpelle intended to assert their rights to their lands as new comers, they manipulated historical events in order to make themselves appear as the "first-comers". Many students emphasised the links of the Kpelle in Liberia and Guinea and the discourse about the transnational links between the Kpelle. Thus, the Kpelle were and are a definite ethnic group. Their last reaction stressed the fact that the creation of identities is not seen as

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[5] Igor Kopytoff, ed., *The African frontier: the reproduction of traditional African societies* (Bloomington: Indiana University Press, 1987)

[6] William P. Murphy and Caroline H. Bledsoe, 'Kinship and territory in the History of a Kpelle Chiefdom (Liberia)' in Igor Kopytoff, ed., *The African frontier: the reproduction of traditional African societies* (Bloomington: Indiana University Press, 1987), chapter 4, pp.121-147

permanent but as finished. It was observed that Liberians called the Kpelle in Guinea, "French Kpelle" and noticed that themselves called the Kpelle in Liberia the Liberian Kpelle.

Therefore, it is necessary as well to emphasise the differences of perception between the creation of ethnic identities during an indefinite anthropological time and the creation of identities during a more historical time. Using Kopytoff underlined this paradox. Some reviewers already blamed Kopytoff's[7] book for this confusion between an anthropological time and a historical one. However, the students' reaction proved that no boundary theory can be written without taking into account the fact that anthropological and historical times are perceived as the same ones, or are intermingled. This last point reveals the specificity of African history as largely influenced by anthropology[8]. Thus, the African boundaries are not necessarily original; however, the historiography about Africa and especially its anthropological part revealed that the African boundaries as boundaries between or intersecting ethnic identities. Therefore, the creation and the management of the boundaries depend on this ethnic perception of the African boundaries.

Subsequently, the course focused on a more geopolitical perception of the boundaries in Africa, which is the reason for which, I introduced Michel Foucher's theories about the boundaries as the latter stressed his research about "the archaeology of the African boundaries"[9]. The latter's work introduction was particularly helpful to realise how the political discourse

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[7] Jay Spaulding, 'Review: Igor Kopytoff, *The African frontier: the reproduction of traditional African societies* (Bloomington: Indiana University Press, 1987)', *African Economic History*, no. 16 (1987), 135-137.

[8] Jean-Pierre Chrétien, 'Pourquoi l'Afrique, pourquoi l'Histoire', *Afrique et Histoire*, 1, (2003), pp.7-19

[9] Michel Foucher, *Fronts et frontières : un tour du monde géopolitique* (Paris: Fayard, 1988).

about the African boundaries has presented them as only "artificial and arbitrary". This political discourse present in postcolonial theories was especially found among leftist political parties in France but also in Francophone Africa. Thus, a general discourse was held about the African boundaries. Schematically, the boundaries are a colonial artefact and as colonialism is out of date, the African boundaries are obsolete. Thus, this part of the course aimed at showing that African boundaries were not thoroughly researched and that many different case studies were still needed.

This approach emphasises an approach at a large scale differing from the continental scale adopted by Kopytoff. It was often observed that this study shows the idiosyncrasy of every boundary segment. As the example of Guinea was chosen, each boundary segment was studied as the history of the boundary between Senegal and Guinea is not the same one as the boundary between Liberia and Guinea. Every single student acknowledged that boundaries between French speaking countries were more porous than boundaries between the former British colonial empire and the French colonial empire. The role of the boundaries of southern *Guinée forestière* was subsequently taken to illustrate or contradict this last statement as numerous refugees from Ivory Coast and Liberia now live in Southern Guinea[10].

Consequently, to discover the archaeology of a specific boundary, the course focused on the Northern Nigerian boundary. This boundary has been particularly studied in the last thirty years and can be considered as one of the most well-known examples of a researched boundary not only for its

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[10] Olivier Rogez, « Nzérékoré : un concentré des crises locales », RFI, 8th December 2004 http://www.rfi.fr/actufr/articles/060/article_32308.asp [consulted 30th August 2009]

diplomatic[11] aspects but also for its economic[12] and political[13] sides. In particular, Thom's study in 1975 revealed that the Hausa segment of the boundary existed before the partition between the French and the British. Thus, for this author, the southern Nigérien and northern Nigerian boundary already partially existed before the Scramble for Africa and was simply reused by the Europeans. Even if contested by some authors, the archaeology of this boundary revealed that some boundaries were not traced without taking into account some African realities. Therefore, the Africans were not passive during the delimitation of some colonial boundaries.

This example was especially useful in Guinea where a strong Fulani population lives. Many students noticed the existence of precolonial boundaries between Fulani populations within precolonial Guinea, namely with the populations living along the borders of the kingdom of Futa Jallon. However in Guinea, the French did not use the different pre-colonial boundaries to create their new colony. This conclusion illustrated the fact that it could be impossible to generalise the Northern Nigerian case. However, it stressed that the European-made boundaries were not totally created haphazardly.

Thus, using Foucher revealed the importance of studying boundary segments individually. However, this last feature hides the fact that numerous African boundaries share common features. The most obvious one is that as in

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[11] Derrick J. Thom, *The Niger-Nigeria boundary 1890-1906 : a study of ethnic frontiers and a colonial boundary* (Athens, Ohio: Ohio University Center for International Studies, 1975).
[12] John Davison Collins, 'The Clandestine Movement of Groundnuts across the Niger-Nigeria Boundary', *Canadian Journal of African Studies / Revue Canadienne des Etudes Africaines,* 10, no. 2 (1976), 259-278.
[13] William Miles, *Hausaland divided : colonialism and independence in Nigeria and Niger*, The Wilder House series in politics, history, and culture (Ithaca, N.Y. ; London: Cornell University Press, 1994).

the rest of the world, they were created by the Europeans[14]. Similarly, many Africans played a role in their definition[15].Thus Foucher's studies only gave a diplomatic overview of the creation of the boundaries. His perception of the boundaries reveals that the boundaries can be studied in a diplomatic way without succumbing to any political bias. Foucher only limited himself to diplomatic history but opened the door for French readers to the history of African borderlands.

However, as many students stressed, this last statement ignores the different sociological aspects of the boundaries. Furthermore, many of them did not dissociate the African boundaries and the political discourse about them. The African boundaries have for a long time been considered as "impediment to independent development"[16] and most students still associate the question of the boundaries with the question of development. Its dissociation is nearly impossible. Thus as an anthropological vision of the African boundaries exists, a political one exists as well. However, this time, this political vision is not specific to Africa.

Finally, I introduced Nugent and Asiwaju concepts of the boundaries as conduits, barriers and opportunities according to their book title[17]. I wanted the students to realise that boundaries are no longer contained in a general theory but are studied case by case in the English speaking world. This last point illustrates the differences of interest between English speaking and

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[14] Garth Abraham, 'Lines Upon Maps: Africa and The Sanctity of African Boundaries', *African Journal of International and Comparative Law,* 15, no. 1 (2007), 61-84.

[15] J. D Hargreaves,.'Towards a History of the Partition of Africa', *The Journal of African History,* 1, no. 1 (1960), 97-109.

[16] Ieuan Griffiths, 'The Scramble for Africa: Inherited Political Boundaries', *The Geographical Journal,* 152, no. 2 (1986), 204-216.

[17] Paul Nugent and A. I. Asiwaju, *African boundaries: barriers, conduits, and opportunities* (London; New York, N.Y., U.S.A.: Pinter, 1996).

French speaking countries. This difference is not only a language difference but is relevant in the case of political or historical bias present in past studies.

Moreover, these studies are not necessarily carried out along traditional historical or geographical lines but are undertaken by economists, anthropologists or political scientists. Thus, the course aimed at showing that the boundaries are used by borderland dwellers. This last argument raised numerous reactions among the students. The most common one was the recitation of the boundary clichés. For example, many students evoked Liberian farmers sleeping in Liberia but working in Guinea. Others stressed the importance of the boundary for the Liberian rebels who overthrew Charles Taylor in 2003. Finally, the role of both Guinea and Guinea-Bissau in the drug traffic in Western Africa was highlighted. Thus, the boundaries were largely associated with the idea of subversion, this is the reason for which, the course focused on the notion of the "used" and "accepted" boundary developed by Nugent[18]. This idea of an accepted boundary can already be found in Salhins's study of the Franco-Spanish border and was evoked to draw a comparison[19]. Consequently, the debate focused on the veracity of this approach for Guinea.

Firstly, different scales had to be used. At a national level, it seemed obvious to every Guinean student, that the boundaries were accepted by the Guinean population. However, why did the French create these boundaries for Guinea? Many students wanted to find a political logic in their creation, whereas the French IIIrd Republic leaders had only economic rationale in mind.

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[18] Paul Nugent, *Smugglers, secessionists & loyal citizens on the Ghana-Togo frontier: the lie of the borderlands since 1914*, Western African studies (Athens: Ohio University Press, 2002).

[19] Peter Sahlins, *Boundaries: the making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989).

As in 1791 the French departments were created for better government efficiency, the French colonies had to be drawn along rational criteria. Indeed, the Guinean boundaries were not supposed to be national boundaries; they were purely administrative. Thus, a contrast emerged between the creation of the Guinean boundaries for such reasons and the national feeling present in Guinea.

Sékou Touré as a nationalist leader turned the former colonial boundaries into national boundaries. Therefore, it is acknowledged that the national boundaries in Guinea are widely accepted as such. History and Geography textbooks recognise the territory of Guinea as a nation on the French model. The analogy between France and Guinea is possible as nationalism is present in both countries and the national boundaries and territory are perceived in an equivalent manner

Indeed, the national boundaries are a tool of sovereignty for the different governments who, in a classical way, avoid focusing on internal problems while stressing the tensions at their borders. Sékou Touré died in 1984 but his legacy is still present even after the coup of December 2008. As he said "No" to General de Gaulle in 1958, he fathered national pride for the former French colony which was the only one to refuse the integration into the French Community. This refusal owed him revenge from the French government which tried, for example, to introduce forged Guinean Francs into Guinea[20]. From this period, Sékou Touré was the target of French attacks and thought Guinea as a besieged fortress.

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[20] A program on French radio gives more details about the relationship between De Gaulle, Foccart and Sékou Touré. See Patrick Pesnot, *Rendez-vous avec Monsieur X*, France Inter, 8th April 2006

Moreover, on 22nd November 1970, the Portuguese government launched an attack on Guinea as some Guinea-Bissau leaders as Amilcar Cabral had taken refuge in this neighbouring country. The operation *Mar verde* only succeeded in liberating some prisoners of war but was mainly a failure. This attack from a European government and its defeat were seen as a victory for Africa and Guinea in particular. Monuments were erected in Conakry and ships sunk by the Guinean army are still visible today in Conakry's bay. At a national level, this victory led to the celebration of Guinea as a nation, the boundaries of which are threatened by its neighbours. This last historical event is known by every single Guinean and taught in Guinean schools as one of the most prestigious feat of the Guinean army. However, the boundaries at a regional scale are conceived differently as their demarcation directly results from European treaties.

The political discourse about the "evil neighbours" is still present in Guinea as most conflicts are perceived as being caused by the artificial boundaries. In July 2009, *de* facto President Dadis Camara mobilised the Guinean army along the Guinean borders in order to protect the countries from mercenaries and drug dealers[21].

Most students stressed the idea that the boundaries were sources of conflicts in Africa. The Guinean political discourse uses this last argument to explain every crisis, thus occulting economic and social issues. If the boundaries can be esteemed at a national level, they are often disregarded at a regional level. This paradox reveals a different perception of the same boundaries but not observed at the same scale.

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[21]Radio France Internationale, 'L'armée en état d'alerte', *RFI*, 13th July 2009
 http://www.rfi.fr/actufr/articles/115/article_82630.asp [consulted 30th August 2009]

For example, tensions between Mali and Guinea were recently solved as both governments wanted to prevent conflicts about land rights on fields and gold mines. Indeed, the discovery of gold in the region reactivated land disputes which began in the 1960's. In 2007, eleven people died between Siradiouba (Mali) and Dalakan (Guinea) because of this conflict.

The need for a delimited boundary was felt by the inhabitants of the region as one chief put it: "As there is no delimitation between Mali and Guinea, populations must solve the conflict locally"[22]. On both sides of the borderland, the leaders demand that "the natural boundary" of the Sankarani River should be respected[23]. Therefore, even if the boundaries are considered as warmongers, they are also needed by the borderland dwellers. This paradox is obvious; nevertheless, it has not been solved yet.

One could mention studies trying to evaluate the possible conflicts emerging from the African boundaries[24]. For these authors, it would be possible to calculate the possibility of conflict according to certain factors underlined by most of the students. This last specious argument only reveals the specificity of African boundaries which according to the authors share a common destiny because they were decided between 1884 and the First World War. Do they share a common destiny because they were created and managed by the European colonial authorities?

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[22] « faute de délimitation de frontière entre le Mali et la Guinée, les populations doivent résoudre de façon locale le conflit » http://www.malikounda.com/nouvelle_voir.php?idNouvelle=14839 [consulted on 27th August 2009]
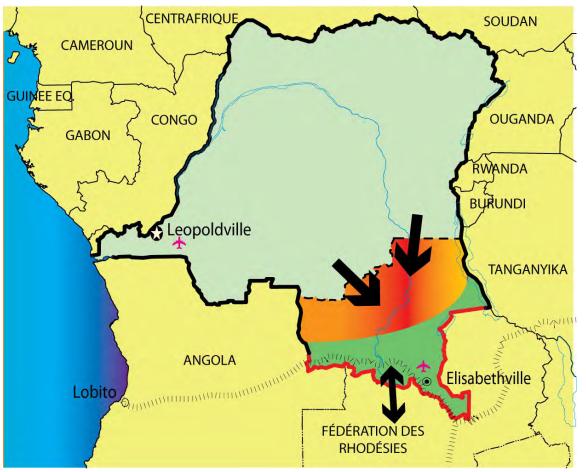
[23] http://www.rldmali.org/Publications/GRN%20011%20Rapport%20de%20mission%20frontiere%20Mali%20Guinee.pdf [consulted 27th August 2009]

[24] Pierre Engelbert and Stacy Tarango and Matthew Carter, 'Dismemberment and Suffocation: A Contribution to the Debate on African Boundaries', *Comparative Political Studies,* 35, no. 10 (2002), 1093-1118.
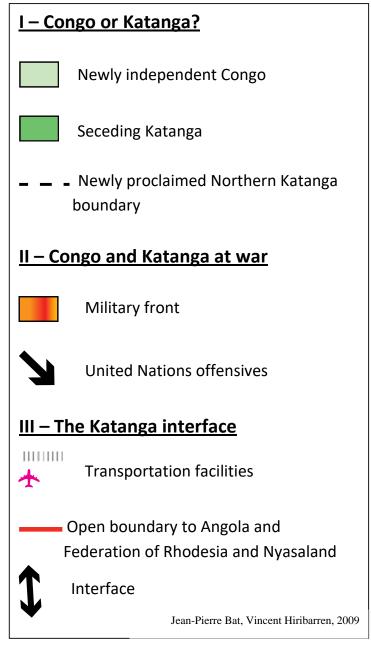
The students' varied reactions certainly illustrate the historical and political conceptions about the African boundaries and the hiatus between the historical perspective and the political discourse.

Furthermore, to stress this hiatus, the lecture tried to apply the different theories to two failed African secessions, the Katanga crisis and the Biafran war.

In order to apprehend the different usages of the boundaries during the Katanga war, the students had to realise a diagram of the Katanga boundaries from 1960 to 1964.

Which boundaries for Katanga (1960-1963)?

I – Congo or Katanga?

Newly independent Congo

Seceding Katanga

- - - Newly proclaimed Northern Katanga boundary

II – Congo and Katanga at war

Military front

United Nations offensives

III – The Katanga interface

Transportation facilities

Open boundary to Angola and Federation of Rhodesia and Nyasaland

Interface

Jean-Pierre Bat, Vincent Hiribarren, 2009

The conception of such a diagram and its key owes much to French human geography which tends to summarise different geographical and historical concepts into a simple diagram. The lexicon used for its realisation enabled the students to understand the different values of the boundaries. For example, the northern Katangan boundary is merely a military front whereas the southern boundary was a place where space could not be delimited by a boundary. Thus, it can be considered as an interface as money, weapons and men traversed it during the whole war[25].

Moreover, the graphic conceptualisation of the Katangan boundaries enabled the students to realise that even if the boundaries can be understood separately, they only have a meaning when grasped as a whole. If the southern Katangan boundary was an interface during the war, it is partly because the northern boundary was a military front. Thus, the conceptualisation of the boundaries of a seceding state can only be understood as a whole.

Furthermore, in post Sékou-Touré Guinea, the official position of Guinea during the Katanga secession is still retained by the students and by the different persons interviewed. Indeed, Kwame N'Krumah and Sékou Touré backed the United Nations during the Katanga war (1960-1964). Moreover, Sékou Touré supported General Gowon during the Biafran crisis (1967-1970) in the name of African unity. Therefore most students, when asked questions

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[25] To find a discussion about the different advantages to use the term "interface" when referring to boundaries' study, refer to Groupe de recherches « interfaces» UMR 6012, 'L'interface : contribution a l'analyse de l'espace géographique', *L'Espace géographique,* 37, no. 3 (2008), 193-207.

about this subject, stressed on the one hand the need to respect African boundaries, but on the other hand their absurdity.

This last question led to Sekou Touré's positions as a pan-Africanist leader but also as one of the first independent African leaders. "How come Sékou Touré was only president of Guinea and not of French West Africa?" Indeed, this last student helped me to underline the historical differences between the African boundaries and the political discourse about them, especially in post-Sekou Touré Guinea. There is a major difference between the pan-Africanist vision of African history and a more national historical perspective. Thus, many students wondered what the real role of the African Union was. An apparent paradox exists between its creation as Organisation of the African Union and the principle of "uti possedetis". How is it possible to promote African Unity and the respect of the colonial boundaries? Thus, most questions revolved around the possibility of an African mediation[26]. The case of the Bakassi peninsula legally solved by the International Court of Justice proved useful in the discussion[27].

Moreover, French decolonisation and its hesitations were still discernable. The debate for the creation of a federation of states among the leaders of the African Democratic Rally still existed. Furthermore, Sékou Touré's idea to amalgamate both Guinea and Guinea-Bissau was also evoked.

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[26] Tiyanjana Maluwa, 'The Peaceful Settlement of Disputes among African States, 1963-1983: Some Conceptual Issues and Practical Trends', *The International and Comparative Law Quarterly,* 38, no. 2 (1989), 299-320.

[27] The case was brought up to the International Court of Justice (ICJ) in 1994 and was finally judged in 2006. See the ICJ archives, http://www.icj-cij.org/docket/index.php?p1=3&p2=1&search=%22ajibola=%22=&case=94&code=cn&p3=90 [consulted 30th August 2009]

In other words, the possibility to reconfigure the map of West Africa remained in students' mind. Most of the students were born after 1985, more than twenty years after the independence of Guinea but were still ready to debate theoretically about the African map.

Therefore, the responsibility of the Western countries for the balkanisation of Africa was stressed by many students who subsequently studied the different debates about French West Africa but also about French Equatorial Africa. Thus, they analysed fundamental texts written in French after the Second World War such as the African Democratic Rally's Manifesto of 1946[28] or Boganda's speech of 1958[29]. French involvement in its former colonies' destiny but also the role of the African leaders were put under scrutiny. Subsequently, when the European powers decolonised, the African boundaries still partially depended on the former colonisers' will. Finally, the global context of the Cold War was evoked to give a comprehensive historical picture of the decolonisation.

Evidently, for a better understanding of the boundaries, using Nugent and Asiwaju's theories revealed once again that the African boundaries must be placed in their historical context. However, the African boundaries are not static and it is essential to show their constant evolution, and usage by the different populations. The history of the African boundaries shall not be limited to their creation and to the decolonisation.

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[28] Useful primary sources for the French decolonisation can be found in Alain Ruscio, *La décolonisation tragique: une histoire de la décolonisation française, 1945-1962* (Paris: Messidor/Editions sociales, 1987)

[29] Barthélemy Boganda and Jean-Dominique Pénel. *Barthelemy Boganda: ecrits et discours : 1946-1951, la lutte décisive* (Paris: Editions L'Harmattan, 1995)

3. Guineans, West Africans, Africans?

This lecture was ended by a discussion about the Economic Community of West African States (ECOWAS) and its effects on everyday life for Guineans. Indeed, a series of authors have tried to assess the integration of the different countries into the ECOWAS and its effect on the African populations[30]. The aim of this chapter was to remind the students of the goals of the economic integration and evoke its effects on the Mandinke cultural area as Kankan is a part of it. Many students observed that it was easier to travel to Bamako in Mali than to Conakry from Kankan. Indeed, the roads to Mali are in a better state. Furthermore, I observed the lack of congruence between the territory of the State and the economic areas in Guinea[31].

In other words, I wanted to show the transnational links whether they be economical, religious or cultural in the Mandinke cultural area in Upper Guinea and Mali. The parallel to the European Union was drawn as the questions of belonging and identities are omnipresent in the European case. Is it the end of the European Nation-State? Is it the end of the national Guinean feeling? However, Guinea is a minor participant to ECOWAS and a West-

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[30]Since 2005, a series of conferences have been about different West African identities and their integration into the ECOWAS. Most of them were published by Karthala, for example Maman Wiziri Mato,*'Les États-nations face à l'intégration régionale en Afrique de l'ouest : Le cas du Niger*, Hommes et sociétés, (Paris: Karthala, 2007).In June 2009, the Guinean case was published by Alpha Mamadou Diallo, *Les états-nations face à l'intégration régionale en Afrique de l'ouest : le cas de la république de Guinée*, Hommes et sociétés, 10 (Paris: Karthala, 2009).

[31] Achille Mbembe, 'At the Edge of the World: Boundaries, Territoriality, and Sovereignty in Africa', *Public Culture,* 12, no. 1 (2000), 259-284.

African identity does not seem to emerge for the moment. My interrogation was perceived as superfluous whereas other identities already exist in the area.

Consequently, the course focused on ethnic identities. Indeed, the Mandinke speaking area was split by the Europeans into different states. This area is a classical case of dismemberment. For example, music heard in Kankan is mainly produced in Bamako. The city of Kankan was a major trading centre and had links with Kaarta in present-day Mali and the Niger valley to Timbuktu[32]. It was specialised in the trade of kola nuts.

Could it be possible to evoke a transnational identity between Upper Guinea and Mali? To answer this question, it is necessary to remember that most students in the University of Kankan come from different regions of the country, which explains why they cannot be thought as representative of Kankan. However, those coming from the Kankan area do not seem to stress their identity as Mandike speakers. Au contraire, when introducing themselves, they quote after their names either their city or their region of origin, namely Maritime Guinea, Mid-Guinea, Upper Guinea and Forested Guinea. This phenomenon is observable in the whole of Guinea. Thus names and ethnicity are thought to be linked to geographical areas within the Guinean boundaries.

Consequently, the question of the boundaries stresses as much their identity as Africans and Guineans as their ethnicity as Mandinke, Fulani or Soussou.

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[32] Roland Oliver and G.N. Sanderson, eds., *The Cambridge History of Africa*, v.6 from 1870 to 1905 (Cambridge: Cambridge University Press, 1985)

In order to conceptualise and theorise the African boundaries, it is necessary not to underestimate the national aspect of the boundaries. Much legitimate interest was brought to ethnic disparities within the newly created states. Evoking the Guinean national boundaries of a state does not deny Guineans' varied ethnicity.

The question of national identity amidst the feeling of being African was thus in the centre of the conversation as Sékou Touré built a strong national identity with the creation of a national history, a national currency... The imagined community of Guineans is indeed a very strong identity. While Sékou Touré was at the spearhead of every pan-Africanist fight, he constructed a Guinean identity.

Is it still possible to have a general discourse about the African boundaries when the national boundaries seem altogether more relevant?

Conclusion

The aim of this lecture was to give an update about the different theories concerning the African boundaries. It was hoped that any over-simplifying explanation for their existence would be avoided while showing the students the necessity to understand their different logics and usages as they can become barriers, conduits and opportunities.

What is the impact of this short lecture in Africa on the conceptualising of the African boundaries? Indeed, the interest is threefold:

- The idiosyncrasy for every different boundary's history without neglecting the fact that boundaries are part of a whole national envelop.

- The political discourse about the historical construction of the boundaries and its impact on the perception of the boundaries.

- The importance to take into account nationalist and pan-Africanist perception of the boundaries.

However, these last comments are only a simple reminder of the evolution of the historiography about the African boundaries. If it is needed to build a theoretical frame to understand the African boundaries, one should bear in mind the absence of paradigm as borderland studies are as complex as any other research field.

However, the African boundaries share one particularity. Their perception by the populations is as important as their actual role. Most African borders are not exceptional, but their presumed exceptionality paradoxically makes them exceptional. This apparent sophism reveals that national boundaries have an actual meaning as they are rooted not only on the map but in people's mind.

How can we explain phenomena like those described by Flynn between Nigeria and Bénin[33] without understanding the different conceptions of the boundaries? In this precise study, borderland dwellers not only accept the boundary because they make profit from it, but also because they forged a "collective border identity" and because of their "perceived right to participate in, and profit from, transborder trade"[34].

Obviously, the acceptance or the refusal of the boundary is a cultural construction influenced by economical and political events. However, without neglecting these last aspects, could cultural historians write a history of the perception of the African boundaries? Could this cultural history be a reading grid enabling to understand the creation and management of the African boundaries?

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[33] Donna K Flynn, '"We Are the Border": Identity, Exchange, and the State along the Bénin-Nigeria Border', *American Ethnologist,* 24, no. 2 (1997), 311-330.
[34] Donna K. Flynn, '"We Are the Border": Identity, Exchange, and the State along the Bénin-Nigeria Border', *American Ethnologist,* 24, no. 2 (1997), p.312

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1. Introduction[1]

Not that many studies on borders or borderlands have addressed their object of study from a predominant historical angle.[2] Most studies on borders do address the historical nature of border (processes), but mainly as a way to underpin an analysis of contemporary events. However, a historical study of borders does pose some problems that are specific to the methodology and sources used in historical research. One of the problems discussed here is how the sources used, create our conception of colonial space.

Most historians studying African history do not limit their research to written sources. In order to reveal local conceptions of borders, local border attitudes are necessary. Here again, the methodology is historians is different from that of other social/human scientists. Historians cannot –unfortunately, because it is very tempting- hang around at border posts and witness all kinds of interactions and transactions taking place. They have to go looking for these transactions and interactions in the past. In (post-) conflict situations this is not always as easy, especially not when historical narratives linked to notions of territory and borders are used to perpetuate the conflict or to advocate a certain image of society.

2. In the archives

Imagine a normal day in the archives, dabbling through the archives of the former Belgian administration of a border region in Rwanda.[3] A variety of information on cross border markets,

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[1] This paper is written on the basis of research in different archives, but mainly the African Archives in Brussels, which holds the most complete collection of colonial documents on both Rwanda and Congo. Furthermore it is the result of reflection on preparatory fieldwork during 5 weeks in April-May 2009 in Rwanda and DRC (Goma and Bukavu). No formal interviews were conducted this first time. Consider this paper a try-out rather than a finished product.

[2] Anthony I. Asiwaju, ed., *Partitioned Africans: Ethnic Relations across Africa's International Boundaries, 1884-1984* (New York: St. Martin's Press, 1985), Lefebvre Camille, "Territoires Et Frontières Du Soudan Central À La République Du Niger 1800-1964" (Université Paris I - Panthéon Sorbonne, 2008), W. F. S. Miles, *Hausaland Divided: Colonialism and Independence in Nigeria and Niger* (Cornell: Cornell University Press, 1994), Paul Nugent, *Smugglers, Secessionists & Loyal Citizens on the Ghana-Togo Frontier : The Lie of the Borderlands since 1914* (Oxford: James Currey, 2002). James L.A. Webb, *Desert Frontier: Ecological and Economic Change Along the Western Sahel, 1600-1850* (Madison: University of Wisconsin Press, 1995).

[3] The Belgian Congo and the mandate Ruanda-Urundi were administratively united and formed a *vice-gouvernement general*. The mandate Ruanda-Urundi was constituted of two *résidences*, Ruanda and Urundi. From here on I will use 'Rwanda' to designate the residency of Ruanda. See: Roger Delvaux, *L'organisation Administrative Au Congo Belge* (Anvers: V. Van Dieren & Co., 1945), p. 65.

trade and labor waits for my taking in the annual reports of the Cyangugu/Kamembe territory (I am exaggerating the joy of archival work a bit for the sake of the argument). As I am very lucky, the reports on the adjacent territories on the other side of the border, in the Belgian Congo, are held in the same archival depot.[4] Looking for similar data on the Congolese side of the border, all effort is in vain: in contrast with those from Rwanda, the annual reports from the Congolese side of the border veil the information that could give insight in processes within the *transboundary space* around Lake Kivu, even though the reports stemming from the Rwandese side have shown the existence of considerable exchange across the border. At the one hand this shows that when studying borders from a historical perspective, it is absolutely necessary to address existing sources on both sides of the border. On the other hand, and more important, this tells us something about the way colonial archives are constructing space, not only because of the information they *contain*, but also the way that information has been *amassed*, *processed* and *categorized*.

This remark relates directly to recent developments in the study of archives. Both historians and anthropologists have started looking at archives not merely as repositories of historical/ethnographical data. They have directed their attention towards the practice of archiving as a process, revealing the colonial order of things. As such, colonial archives are not only images of power relations, but also complex technologies of rule in themselves.[5]

In this case, the technology of rule and the resulting documents is directly influencing the perception of Cyangugu/Kamembe (Rwanda) on the one hand and Kabare/Kalehe (Congo). Rwanda, as part of the mandate Ruanda-Urundi had much smaller territorial administrative entities, and this is reflected in the density of the information, hence the absence of more detailed information in the Congolese sources. As such colonial archives are not only the products of administrations in different localities, but they also (re)produce colonial realities. Question is what the ramifications are for our understanding of the colonial border.

Archivization of space

That archives would be able to (re)produce colonial space is derived from Derrida's idea of archivization. According to Derrida, *"[…] the technical structure of the* archiving *archive also determines the structure of the* archivable *content even in its very coming into existence and in its relationship to the future. The archivization produces as much as it records the event."[6]* [emphasis in text]

When is Derrida is speaking of the *technical structure* of the archive he means quite literally the technological methods for transmitting information, the carriers of (archival) information, but he also refers to the wider context.[7] Here the concept of *archivization* is used in a broader sense not only referring to technical structures, but also to administrative structures and regimes of information in a colonial setting.

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[4] For many historians who want to study a border this is not as easy.

[5] Ann Laura Stoler, "Colonial Archives and the Arts of Governance," *Archival Science* 2 (2002).

[6] Jacques Derrida, *Archive Fever. Freudian Impression* (Chicago: University of Chicago Press, 1996), p. 17 . Appadurai also sees archives as deliberate projects, a form of intervention, a sort of social project. Arjun Appadurai, "Archive and Aspiration," in *Information Is Alive*, ed. Brouwer Joke and Mulder Arjen (Rotterdam: V2 Publishers, 2003).

[7] See Derrida, *Archive Fever. Freudian Impression*, p. 16-17.

The *archiving* archive informing us of the colonial past remains for most researchers the colonial archives produced by the respective imperial powers. However, most archives produced by these states have held an important role in narrating the colonizing nation-state.[8] That the cradle of imperial power remained within these nation-states, and within the logic of the nation-state, was mirrored in the way colonial archives were organized: the archives transferred from the colonial administrations were grouped according to colonial territories within 'national' colonial borders. Even though both Rwanda (Ruanda-Urundi) and Congo were part of the Belgian colonial enterprise, were unified administratively,[9] and documents coming from both colonial states are held in the same physical location, most of the documents informing us on more localized events and forms of rule remain separated in different 'Congolese', 'Rwandese' and 'Burundese' collections, and there is e.g. no possibility to seek thematically within both the Rwandese and Congolese collections that have been digitally inventoried.[10] However, this has its implications for the way these entities are conceived. Within the archives, regardless of overlap on the ground, irrespective of transboundary processes around Lake Kivu, the colonial border separates rather than it unites. As such these colonial archives brace the spatial (re)production of colonial states.[11]

Therefore I think that the *archivization* of colonial territories has consequences for every researcher doing full-fledged historical research into borders or border lands. First of all, it has practical consequences: in order to do right to a border region *both* sides of a border need to be covered, in a way, all research has to be done twice. For many historians who study colonial borders this often means doing research in archives that are located in different ex-colonial powers. As 'understanding' an archive is in many cases as much an ethnographic enterprise as doing 'real' fieldwork, getting acquainted with the culture, habits and structure of different 'national' archives can be very time-consuming.

Secondly, and more important, researchers have to escape the imagery of the colonial state and its border as created through its archives. One part of this imagery for Rwanda was that even though it was unified administratively with the Belgian Congo, the colonial administration had to adapt its policies to the legal statute of Rwanda. This meant that policies at all times had to remain absolutely distinct at all times. The Belgian administration was monitored by the League of Nations and later the United Nations to supervise if the Belgian administration was not infringing on these rules of the mandate. This resulted sometimes in friction between the Belgian administration and the League of Nations, especially when it concerned economic policy. During

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[8] On the relationship between nationalist sentiments and the archives, see: R. H. Brown, "The Making of Memory: The Politics of Archives, Libraries and Museums in the Construction of National Consciousness," *History of the human sciences* 11, no. 4 (1998).

[9] The Belgian Congo and the mandate Ruanda-Urundi formed a *vice-gouvernement general*. The mandate Ruanda-Urundi was constituted of two *résidences*, Ruanda and Urundi.

[10] To be honest, this could also be the result of the fact that the archive is manned by staff being there since the time of the dinosaurs. To be able to search the digitalized part of the inventory, one has to hand 'key words' to the staff, who enter these keywords in one of the catalogues –as no one may search this database him/herself. However, giving the staff too many keywords at once could confuse them which is to be avoided at all times.

[11] Most colonial (and European) historiography has been given shape most significantly by a nationalist paradigm. For Africa this was a result of nation-building attempts in the seventies. I wonder in how far the shape of the archives (bracing the nation-state) have had an influence in this regard. I might sound like kicking in an open door, but archives are not very welcoming to researchers wanting to escape the framework of a state.

the design of a plan to use Rwandese labour for the ailing plantation economy in Kivu (and mining labour in Katanga), the League of Nations blew the whistle on the administration because they were not allowed to use the surplus of population in Rwanda as a cheap reserve of African labour to enrich the Belgian Congo.[12] Thus, in this case the colonial imaginary had every advantage and even necessity to depict Rwanda and Congo as two different territories, divided by a clear border. In practice however Rwanda *was* used as a labour reserve for the economic development of the Congo.[13]

However, in the archives there is also information to be found traversing this imagery. First of all, there was a difference between the border between Rwanda and Congo and the border between Rwanda and Uganda. Ruanda-Urundi and Congo were united with regards to customs (with the of exceptions ivory, alcohol and gold). As a result, the border between Uganda and Rwanda was policed, whist this was not necessarily the case for the border between Rwanda and Congo. Only at certain moments did the colonial administration attempt to police the border between their territories with more rigour. This was e.g. the case during an outbreak of rinderpest in the region during the early 1930s and it is my impression that attempts to control the border with more stringency increased around the 1950s.[14]

Secondly, if one reads the colonial archives a bit more closely there was a lot more overlap between policies for Rwanda and the Congo and a kind of transboundary space (e.g. circulatory cross border African markets, the aviation strip in Cyangugu that served both the city of Cyangugu (Rwanda) and Bukavu (Congo)). The fact that in these instances the border was nearly inexistent (or at least, the reports are silent on it) makes it very difficult to retrieve the actual importance of the border during that period. Furthermore, most of the processes of (re)production of the border discussed above tell us something about borders and their relation to the colonial state, but provide us with very little information on local African conceptions of the border

A border is a dotted line

However, not only the spatial make-up of the border land is influenced by the way the archives are constructed. The structures of information gathering, and colonial ideology are also influencing *what information* is available for historians, and on *which places*.[15] Whilst there is a considerable amount of information on cross-border labour, references to e.g. transborder petty commerce or family relations are almost inexistent in the archives. This is easily explained by the importance of migratory labour for the colonial state, whilst transborder petty commerce was deemed less important.

But next to the kind of information we receive, the places it is informing us about is equally important. Up till now we have been talking about an abstract 'border' that is dividing Rwanda

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[12] African Archives Brussels (AAB), Affaires Indigènes (AI), 4378, Letter to the Minister of Colonies, January 7, 1926

[13] See, amongst others: D. Learthen, "Rwandan Colonial Economy, 1916-1941" (Michigan State University (PhD), 1983).

[14] This is part of my ongoing PhD-research

[15] As has been said, these structures could differ from place to place and are importantly shaped by the way the regimes of information production of the colonial state are functioning. However, individual agency of the administrators can also be of importance. Personal interests, very verbose or very concise administrators, these factors are also influencing what information is transmitted.

from Congo. However, this was (and still is) a border of approximately 200 km. long running through Lake Kivu. Not every part of this border is covered evenly by the data the colonial archives are providing us, on the contrary. Due to the fact that the colonial administration was located mainly in the administrative centers along the border (Gisenyi and Cyangugu for Rwanda; Bukavu, Rutshuru and Goma for Congo), most of the information on what happens at the border informs us about the busiest crossing places. The manifold footpaths, forms of daily exchange, petty trade in more remote areas are totally absent from the archival record. One could wonder if in these places borders are important at all, or to what extent. Paul Nugent has already pointed out that these 'quieter nodes' are less studied today then the more dazzling crossing points.[16] In a way this is logical, but we should wonder how valid border theory is if we do not distinguish between different forms of borders or border nodes along the 'same' border.[17]

Whilst during the colonial period, the border dividing Gisenyi (Rwanda) and Goma (Congo) must have been quite clear, if only because there was a stretch of vacant land between the two centers (a vacant strip that has now totally disappeared, Goma and Gisenyi are becoming one urban agglomeration despite efforts from both governments to make the division on the ground clear), this is not always as clear for more remote areas, as the following example indicates.

In 1925 the District Commissioner of Kabale district (Uganda Protectorate) writes his colleague in Gatsibu[18] with the accusation that the 'natives' of Gatsibu territory have removed and re-erected a border pillar in British territory and that as a result, the Belgians have levied tax on British subjects in a village called Nyamigezi, the only village for miles around.[19]

The delegate of Gatsibu has to scrutinize precisely what happened. It turns out that no-one exactly knows where the border is in this area, and it is unclear if the village in question is 'British' or 'Belgian'. The pillar that has been replaced into British territory has been put there by an indigenous policeman confiding in the information of the local population, placing the border pillar on the remains on another marker that according to the local population was put there by the Germans to delineate the border. Apparently, according to the formal *tracé* of the border as stipulated in the Anglo-German treaty of 1911, the village is British, but the Belgian administrator maintains that the village has always been treated as on German (or Belgian) territory. He claims: "*[…] j'ai fait appeler tous les indigènes de la colline ainsi que leur chef nommé Kubito et ceux-ci ne souviennent pas d'avoir été sous la régime anglais; tous sont porteurs d'acquits belges des exercices 1921-22-23-24 et 1925 et l'impôt n'a jamais été perçu par les Anglais sur cette colline.*"[20]

This does not mean that the border had no importance in this region. Nevertheless it does show that in more remote areas –especially in the early years of colonization- the exact whereabouts of the border were not always as clear, at least in more remote areas. It also raises questions about issues of control of the colonial state in these more remote areas.

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[16] Paul Nugent, "Border Anomalies: The Role of Local Actors in Shaping Spaces Along the Gambia-Senegal and Ghana-Togo Borders," in *Beside the State: Emergent Powers in Contemporary Africa*, ed. Alice Bellagamaba and Georg Klute (Cologne: Rudiger Koppe Verlag, 2008).

[17] Although research into grazing grounds e.g. is a strand of research that is not necessarily concerned with looking at 'hotspots'.

[18] Both "Kiga-country" at the northern border of Rwanda.

[19] AAB, RWA 99, Letter of DC Tuffnel to delegate Massart. Kabale (Kigezi), September 1, 1925

[20] AAB, RWA 99, Letter of Delegate Massart to the Resident of Rwanda, Gatsibu, September 11, 1925.

3. The past is now: Rwanda and Congo

Archives mainly tell us something about colonial conceptions of the border. As a means to escape this colonial imagery, other sources, such as local border narratives are necessary. Ideally this means research at both sides of the border. Although the borderland of Rwanda and Congo is certainly determined to a large extent through exchange, transactions and overlap, this does not mean that Congo and Rwanda are not two completely different realities. This is immediately clear even when crossing the border and these different realities have a large impact on the conditions of research.[21]

This difference between these two countries if also very manifest with regards to the place of history in these two societies, and to how geographical boundaries are defined and historically legitimized. In Rwanda historical imagination has been used to mobilize for genocide in the years leading up to 1994, hence a historical curriculum that is aimed at reconciliation. In the Kivus historical narratives often concerned with notions of territory and belonging are very central to the conflict of the last two decades. This makes it difficult for any researcher to analyse the border from a historical perspective. The (pre-)colonial border is hidden in the fog of the conflicts in the Great Lakes region.

Rwanda

The 1994 genocide and the historical narratives used to instigate hatred during the genocide has provoked a certain wariness when it concerns history. Mahmood Mamdani recounts how in 1996 this was made clear to him. *"I requested in 1996 to be taken to a school so I could talk to a history teacher. My host, an aid to the vice-president, said this would be difficult since history teaching in the schools had stopped. I asked why. Because there is no agreement on what should be taught as history, was the reply."*[22] As a result, the government has attempted to create a history curriculum that is avoiding the difficult spots in Rwanda's past and is promoting unity among Rwandans. Mentioning Hutu, Tutsi and Twa has become politically incorrect (not only in historical contexts, but in general) and 'genocidal discourse', which is a rather vague notion, can be persecuted.[23] In the official version of the past, which is *"not a choice but a historical fact"*,[24] before colonialism *"[a]ll Rwandans were living together, and speaking the same language, they had the same culture and were loving each other."*[25] This unity between the three groups

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[21]. The difference between these two countries is for a large part determined by the different role of the state in Rwanda and in Congo, and by questions of security. I think that the efforts it takes from researchers to function in completely different contexts (as it is in my case) is a methodological (or at least practical) problem of doing borderland research. For an indication of some differences in research contexts, see: Elizabeth Levy Paluck, "Crossing Borders. Methods and Ethics with Research Teams and NGOs. Comparing Experiences across the Border of Rwanda and Democratic Republic of Congo. Draft for Doing Research in Difficult Situations," (2008).

[22] M Mamdani, *When Victims Become Killers. Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2002), p. 267.

[23] However, it is not because an official curriculum is being promoted that there are not other version of Rwanda's past. See, among others: S. Buckley-Zistel, "Nation, Narration, Unification? The Politics of History Teaching after the Rwandan Genocide," *Journal of Genocide Research* 11, no. 1 (2009). and M. Hodgkin, "Reconciliation in Rwanda: Education, History and the State," *Journal of International Affairs* 60, no. 1 (2006).

[24] Buckley-Zistel, "Nation, Narration, Unification? The Politics of History Teaching after the Rwandan Genocide," p. 46., ftn. 104

[25] Ibid., reffering an official publication from the Republic of Rwanda, see ftn. 20

constituting the *munyarwanda* was first eroded by colonial practices of German and Belgian colonial practices and later completely destroyed by Belgian colonialism.[26] Being a Belgian historian questioning colonial history is thus not always as self-evident.

However, this also has consequences for perceptions of territory and borders. The idea of living together, sharing a culture and speaking the same language echoes 19th century discourses on the European nation-state. And indeed, the idea of Rwanda as a pre-colonial nation-state has been picked up by historians in Rwanda, proclaiming that there was a Rwandan nation already in the 19th century. [27] However, the presupposition of a nation-state during the 19th century also implies borders that were defined in some way or another prior to colonization. In this perception of history, all of what is now Rwanda was in the 19th century already a unified nation-state. However, this perception of history is oblivious to the different degrees of autonomy and the diversity of forms of rule in the regions that were further away from the core of the Rwandan kingdom. In some regions, such as that of the Bakiga, the royal kingdom never managed to install something that resembled a form of rule even from afar, despite attempts, before the dawn of colonialism. The north-west of Rwanda was patchwork of small "Hutu" kingdoms -although the term is "Hutu" is probably an anachronism in this context- without formal links to the central kingdom.[28] In many regions during the early years of colonialism contestation of European power was related to insurrection against representatives of the royal central kingdom.[29]

The idea of language as the cornerstone for the nation (*"speaking the same language")* has also other consequences, sometimes fuelling the conflict in the Kivus. The presence of Kinyarwanda-speakers in the Congo is often used as a 'proof' that certain regions of Kivu were historically part of the Rwandan kingdom.[30] This is backed by historical claims, which are often referring uncritically to the works of Alexis Kagame. An example of this is the map of a 'greater Rwanda', published in the Atlas du Rwanda, serving as the front cover to a publication on the challenges in Rwandan historiography.[31] However, not only historians are making such claims, the Rwandan government has made similar claims in the past. Pasteur Bizimungu (then president) for example claimed parts of Kivu in 1996, armed with maps of the region and referring to historical conquests of *mwami* Rwabugiri during the 19th century.

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[26] Ibid.: p. 35.
[27] Gamaliel Mbonimana, "Le Rwanda, Etat Nation Au Xixième Siècle," in *Les Défis De L'historiographie Rwandaise*, ed. Byanafashe Déogratias (Butare: Université Nationale du Rwanda, 2004). However, Mbobimana modifies his vision. To explain differnces between certain regions, he states: "[L]e Rwanda politique et culturel était un, mais que le Rwanda administratif était légèrement divers." (p. 144)
[28] Albert Kraler, "The State and Population Mobility in the Great Lakes. What Is Different About Post-Colonial Migrations?," *Sussex migration working paper*, no. 24 (2004): p. 8. He points out that the term "Hutu" designating a group of people was probably not known before late 19the century.
[29] For a very detailed overview, see Alison Des Forges: Alison Des Forges, "Defeat Is the Only Bad News: Rwanda under Musinga, 1896-1931." (Yale University, 1972).
[30] P. Celestin Kalimba, "Le Rwanda: Les Frontières," in *Les Défis De L'historiographie Rwandaise*, ed. Déogratias Byanafashe (Butare: Université Nationale du Rwanda, 2004).
[31] Déogratias Byanafashe, ed., *Les Défis De L'historiographie Rwandaise. Tome I: Les Faits Controbersés* (Butare: Editions de l'Université Nationale du Rwanda, 2004).

Of course, these historical claims were not uttered in a vacuum. The idea of a 'greater Rwanda' was supporting the (military) presence of Rwanda in the Kivus during the 1990s.[32] However, it was also grist to the mill of those who were fighting the presence of Kinyarwanda speakers in the Congo, accusing Rwanda of irredentist tendencies (now and in the past).[33] This last remark brings us to the conflict in the Kivus.

Congo

To make a very difficult matter very simple, taking corners too short (because the space in this paper is limited), the conflict between the 'autochthonous' populations in Kivu and the so-called Banyarwanda revolved around the question if the latter were 'native' to the Kivu-region or not.[34] The marker 'Banyarwanda' however, used in the colonial period to identify people coming from 'Rwanda' and in more recent times to label all Kinyarwanda speakers in the eastern Congo, is elusive and conceals the diversity of the ethnic, regional and historical origins of this group. The contemporary label Banyarwanda incorporates distinct groups, each having different relationships to Rwanda.[35] Five groups can be discerned: (1) those who fled the expansion of the Rwandan state in the eighteenth and earlier nineteenth centuries and established themselves in Itombwe (mainly pastoralists, recently this group has become known as 'Banyamulenge') (2) the community of Banyabwisha in the areas of Jomba and Rutshuru (3) (descendants of the) Banyarwanda migrants, attracted to the Kivu under the auspices of the colonial state, (4) the "fifty niners", Tutsi refugees who fled Rwanda as a result of the 1959 Hutu revolution.[36] Other

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[32] Both David Newbury and Réné Lemarchand doubt these claims. See: D. Newbury, "Irredentist Rwanda: Ethnic and Territorial Frontiers in Central Africa'. In: Africa Today: ," *Africa Today* 44, no. 2 (1997). René Lemarchand, "Ethnicity as Myth," in *The Dynamics of Violence in Central Africa*
ed. René Lemarchand (Philadelphia: University of Pennsylvania Press, 2009).

[33] For a historical approach coming from a Hunde historian, see Mitima Jean Baptiste Murairi, *Les Bahunde Aux Pieds Des Volcans Virunga (RD Congo)* (Paris: L'Harmattan, 2005).

[34] This is of course not an attempt to reduce the conflict in the Kivus to some kind of ethnic warfare. I am well aware of other literature dealing with 'the Second Congo War', political machinations, state failure, resource extraction, struggles over land etc. However, this paper is too short for these factors and enough researchers are dealing with these aspects already. For more information (but by no means exhaustive, as a zillion things have been published on conflict in the Great Lakes region): J.P. Chrétien, *The Great Lakes of Africa. Two Thousand Years of History* (New York: Zone Books, 2003). M Mamdani, "Understanding the Crisis in Kivu: Report of the Codesria Mission to the Democratic Republic of Congo September," (CODESRIA, 2001). Bucyalimwe Mararo, "Land Conflicts in Masisi, Eastern Zaire: The Impact and Aftermath of Belgian Colonial Policy" (Indiana University, 1990). P. Mathieu, Mafikiri, T. and Mugangu, S.M., "Compétition Foncière, Confusion Politique Et Violence Au Kivu: Des Dérives Irréversibles," *Politique Africaine* 67 (1997). Filip Reyntjens and Stefaan Marysse, *Conflits Au Kivu: Antecedents Et Enjeux* (Anvers: UFSIA, 1996), K. and Huggins Vlassenroot, C., "Land, Migration and Conflict in Eastern Congo," *Eco-conflicts (ACTS)* 3, no. 4 (2004), K. Vlassenroot, *Conflict and Social Transformation in Eastern Dr Congo* (Ghent: Academia Press, 2004), K. Vlassenroot, "Citizenship, Identityformation and Conflict in South-Kivu: The Case of the Banyamulenge," *Review of African Political Economy*, no. 29 (2002). Jean-Claude Willame, *Conflits Et Guerres Au Kivu Et Dans La Région Des Grands Lacs: Entre Tensions Locales Et Escalade Régionale* (Paris: L'Harmattan, 1999).

[35] David Newbury, "Returning Refugees: Four Historical Patterns Of "Coming Home" To Rwanda'," *Comparative studies in society and history* 47, no. 2 (2005).

[36] René Lemarchand, *Exclusion, Marginalization and Political Mobilization: The Road to Hell in the Great Lakes.*, Centre of African Studies Occasional Paper (Kopenhagen: Centre of African Studies, 2001), David Newbury, "Convergent Catastrophes in Central Africa," *Review of African Political Economy* 23, no. 70 (1997), Willame, *Conflits Et Guerres Au Kivu Et Dans La Région Des Grands Lacs: Entre Tensions Locales Et Escalade Régionale*.

scholars also include a fifth (5) group of Hutu-refugees who fled Rwanda in the aftermath of the genocide.[37]

Stephen Jackson has shown how different strands of Congolese autochthony discourse are grounded in a combination of present conflicts and mythologies of the past.[38]

These mythologies of the past are translated by different factions/groups into historical arguments to claim legitimacy over territory and to affirm belonging. The following examples are characteristic for the importance of history in the region. In 2008 Nkunda's CNDP was teaching the history of the Congo –or at least their version of history- to municipal officials in territory that had recently been (re)conquered by his CNDP.[39] Historical narratives used in the conflict often divulge a rather positivistic preoccupation with historical 'facts' and 'documents', preferably originating in the colonial past. It is said that during the "Guerre des Kanyarwanda" (1963-1966) one of the first moves of part of the Hunde population was to burn the archives of the population registers of all administrative localities. In doing so, it was made possible to qualify all Kinyarwanda-speakers as 'strangers' or 'refugees'.[40] The use of colonial ethnographic maps to "prove" that there were no Banyarwanda in Kivu before 1945 is another striking example.[41] Ironically, in a memorandum aimed at *La Commission d'enquête sur les massacres de Walikale, Masisi et Bwito (Rutshuru)*, the community of Congolese Hutu and Tutsi use documents from the colonial period once again to prove exactly the opposite, namely that Hutu and Tutsi were present in Kivu prior to colonialism.[42]

And the consequences?

It is clear from the examples given above that historical narratives cannot be separated from their role in the conflict that has ripped up the Great Lakes region since the early 1990s. Furthermore these narratives divulge different understandings with regards to the legitimacy and importance of pre-colonial and colonial borders.

It is true to some extent that every historical question reveals more about the present then about the past. However, in a region in which the historical narratives with regards to borders (colonial

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[37] Newbury, "Returning Refugees: Four Historical Patterns Of "Coming Home" To Rwanda'."

[38] Stephen Jackson, "Sons of Which Soil? The Language and Politics of Autochtony in Eastern Dr. Congo. ," *African Studies Review* 49, no. 2 (2006).

[39] Doyle, Mark. "Rebels rewrite Congo's history". BBC News, November 20, 2008. http://news.bbc.co.uk/2/hi/africa/7739342.stm Last visited January 19, 2009.

[40] Joseph Nzabandora Ndimubanzi, "La Question Identitaire Au Bwisha (Rutshuru, Nord-Kivu): Le Point De Vue De L'histoire" (paper presented at the Les identités meutrières: Faire face au défis posés par nos murs psychologiques et idéologiques, Goma, June 26 2004).

[41] Stephen Jackson, "Regional Conflict and the "Bantu/Nilotic" Mythology in the Great Lakes," in *CIC Report* (CIC Report, 2002)., Jackson, "Sons of Which Soil? The Language and Politics of Autochtony in Eastern Dr. Congo. ," p. 100 and ftn. 5. See also the following piece in which this argument is put forward. Léonard Kambere Muhindo, *Après Les Banyamulenge, Voici Les Banyabwisha Aux Kivu. La Carte Ethnique Du Congo Belge En 1959* (Kinshasa: Editions YIRA, 1999). Found at http://www.grandslacs.net/doc/3231.pdf last consulted 20.01.2009.

[42] See: "Memorandum des communautés Hutu et Tutsi du Nord-Kivu", Goma, April 25, 1993.
See: http://africadaily.blogspot.com/2007/11/memorandum-des-communautes-hutu-et.html last checked January 19, 2009. They refer to studies by Kajiga (1955) and Lagger (sic., 1939) and to a letter written by notable Bulenda Petro to the district commissioner of Nord-Kivu in 1956. I give the reference to these studies here, but they were not referred to in full in the memorandum itself. Gaspard Kajiga, "Cette Immigration Séculaire Des Ruandais Au Congo'," *Bulletin Trimestriel du Centre d'Etude des Problèmes Sociaux Indigènes* pp. 5-64, no. 32 (1956). de Louis Lacger, *Le Ruanda Vol. I* (Namur: Grands Lacs, 1939).

or pre-colonial) are highly contested and politicized, recurring to the meanings and understandings of these spatial concepts in the past becomes even more difficult.

4. Conclusion

It is clear that the sources and methodology used in order to study borders from a historical point of view have ramifications for the results. Firstly, the archivization of territory is bracing the colonial state. In colonial archives there is never much attention for overlap. Although in reality borders were often connecting territories, in colonial minds, and in the archives produced, a border created division rather than overlap. Secondly, the archives are painting an uneven picture of borders. There is over-reporting on the subjects deemed important by the colonial state. But maybe more important, the more busy crossing points get disproportionate attention. This is not only the case for historical studies, but is also obvious in other studies. How relevant are these muted borders? Should they get a more prominent place in border theory?

Furthermore, historical research in a conflict situation in which the concept of the border is still the subject of contested or even opposed historical narratives which are highly politicized, thorough historical research is made very difficult. Can this issue be resolved?

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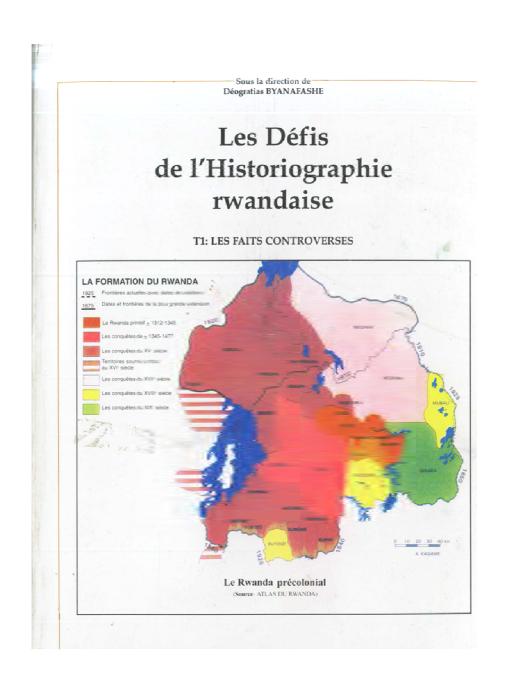
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Borderland Research in the Niger Delta: Theoretical and Methodological Challenges of Conducting Field Studies in the Oil-rich Bakassi Peninsula

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Abstract

The Bakassi Peninsula was a source of intense conflict between Nigeria and Cameroon especially from 1981 to 2002. Nigeria's claim was hinged on the fact that the Efik ethnic group of Nigeria formed the predominant population in the Peninsula. It has been proved, however, that the territory lies within Cameroonian territory through the Anglo-Germany treaty of 1913, the 2002 ruling of the International Court of Justice and the 2006 Green Tree Accord. By relying on personal experiences garnered during archival searches, field observations, structured and informal interviews carried out by the author in the Bakassi Peninsula, this study primarily explores the theoretical and methodological challenges of borderland research in the Bakassi Peninsula. The paper argues that the Bakassi Peninsula remains a zone of intense cultural intermingling linking Nigerian and Cameroonian ethnic groups. The paper further emphasises the role of non-state actors in regulating socio-economic relationships in the peninsula and concludes that in reality the Bakassi Peninsula would seem to be a bridge rather than a boundary dividing Cameroon and Nigeria.

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Olukoya Ogen

Introduction

The Bakassi Peninsula lies roughly between latitudes 4^0 25' and 5^0 10'N and longitudes 8^0 20' and 9^0 08'E. It is an area of some $1000km^2$ of mangrove swamps, creeks and half-submerged islands located at the extreme eastern end of the Gulf of Guinea (Aghemelo and Ibhasebhor 2006,177). It is located precisely between the Cross River and the Rio del Rey estuaries (Ogbogbo 2002,321) where the warm east flowing Guinea current meets the cold north-flowing Benguela current. On contact, these two great ocean currents form huge foamy breakers thundering endlessly ashore, creating submarine shoals rich in shrimp, fish and other marine resources. As a fertile fishing ground, the Bakassi Peninsula has often been compared to Newfoundland in North America and Scandinavia in Europe (Mbaga and Njo 2007:7). In terms of its extensive reserves of oil and gas, the Bakassi Peninsula is potentially the richest Peninsula in Africa (Mbuh 2004; Mbaga and Njo 2007: 1-8). The coast of the Bakassi Peninsula is estimated to hold oil deposits of hundreds of millions, perhaps even billions of barrels (Nwachukwu 2008). Besides oil, the Peninsula itself is believed to contain several trillion cubic feet of natural gas beds, potentially more profitable than the reserves of crude oil (De Konings 2008,4 n7).

United Nations officials who were closely involved in the UN brokered mediation between Cameroon and Nigeria say there are no more than 15,000 inhabitants living on the Peninsula (Ogen 2008a; Isaac 2005). However, a projected estimate based on the 1991 population census in Nigeria gives the Bakassi Peninsula a population figure of 37, 500 (ICJ 1999, 33).The location of the Peninsula is also very strategic. Its positioning in the extreme eastern end of the Gulf of Guinea makes it a potentially effective base for defensive and offensive military operations. The region is also a pathway and indeed, harbours two important seaports- Douala in Cameroon and Calabar in Nigeria. Described as 'a strategic underbelly of Nigeria' (Mimiko 2007), the struggle for the control of the Peninsula should, therefore, be viewed as one for the control and appropriation of its natural resources and strategic values (Mbuh 2004: Ogbogbo 2002, 321).

The Bakassi Peninsula was a source of intense conflict between Nigeria and Cameroon especially from 1981 to 2002. Nigeria's claim was hinged on the fact that the Efik ethnic group of Nigeria formed the predominant population in the Peninsula. It has been proved, however, that the territory lies within Cameroonian territory through the Anglo-Germany treaty of 1913, the 2002 ruling of the International Court of Justice and the 2006 Green Tree Accord. This study primarily explores the theoretical and methodological challenges of borderland research in the Bakassi Peninsula. The paper argues that theoretically, the Bakassi Peninsula fits into several theoretical formulations on the nature of African borderlands and that the peninsula remains a zone of intense cultural intermingling linking Nigerian and Cameroonian ethnic groups. The paper further emphasises the role of non-state actors in regulating socio-economic relationships in the peninsula and concludes that in reality the Bakassi Peninsula would seem to be a bridge rather than a boundary dividing Cameroon and Nigeria.

The paper is based on historical fieldwork and informal interactions with displaced Bakassians in Calabar, Ikang and Abana on the Bakassi mainland from February 4 to 16, 2008. In addition, archival data was also obtained from the National Archives, Enugu. A variety of primary and secondary literature was also consulted, including scholarly articles and the writings of journalists. Moreover, documents submitted by Nigeria and Cameroon to International Court of Justice at The Hague between 1994 and 2002 as well as the ICJ judgement itself also proved immensely useful. In order to realise its objectives, the paper is divided into several major parts. The first section introduces the discussion, provides a geographical description of the peninsula and underscores the economic and strategic significance of the Bakassi Peninsula. The second part attempts a brief review of the relevant literature while the third part considers the theoretical challenges of borderland research in the Peninsula. This part also situates the analysis within a multi-theoretical framework. The fourth part deals with the methodological challenges of conducting field studies in disputed borderlands such as the Bakassi Peninsula. Finally, the last section concludes the essay.

The Current State of Historiography on the Bakassi Peninsula

With the exception of the Bakassi Peninsula, the Nigerian-Cameroonian borderlands appears to have been well-researched. Indeed, eleven major partitioned ethnic groups have been identified as straddling the Cameroon – Nigeria borderlands (Adejuyigbe 1989, 31-35) of which the Bakassi Peninsula appears to be the most conflictual. However, apart from a number of general works on the entire Cameroon-Nigeria borderlands (Anene 1970; Prescott 1971; Adeleye 1972; Oduntan 2006; and Konings 2005), academic literature specifically devoted to the Bakassi Peninsula is still relatively sparse. In fact, in a review of the historiography of Nigeria's borderlands (Akinyele 2007, 143-170), scholarly literature on the Bakassi Peninsula is conspicuous by its absence. Similarly, the comprehensive bibliography on African borderlands (Olanlokun and Ojo 2007, 171-194) reveals that the literature on the Bakassi Peninsula could only be perused from newspaper reports and news magazine articles. The few exceptions to this trend include Asiwaju (1996), who proffers a political solution to the Bakassi crisis in a paper presented at the International Boundaries Conference at the University of Durham. Asiwaju (2009) also focuses on the problems and conflict that artificially drawn borders such as the Bakassi borderlands have created and discusses the claims and counter claims of ownership of the Bakassi Peninsula by Nigeria and Cameroon.

Omoniyi and Salami (2004) only investigate identity and identification discourses as captured mainly in news media commentaries on the inhabitants of the Peninsula. Omoigui (2004) is primarily concerned with exonerating the former Nigerian military ruler, General Yakubu Gowon of the widespread allegation that he ceded Bakassi to Cameroon as a mark of Nigeria's appreciation for Cameroon's support during the Nigerian Civil War. Mbuh (2004) devotes a chapter to the Bakassi Peninsula in his book on *International Law and Conflicts: Resolving Border and Sovereignty Disputes in Africa*. From a legal point of view the author emphasises the important nature of the 1913 Anglo-German Treaty. Following on the heels of Mbuh are other works that also situated their analyses within the framework of the legal interpretation and implications of the dynamics of the Bakassi crisis (Milano 2004; Kirchner 2005; Egede 2008; Oduntan 2006).

Other works such as Ogbogbo (2002); Mbaga and Njo (2007); Cornwell (2006); Egboka (2005); and Aghemelo and Ibhasebhor (2006), are plagued by glaring contradictions and faulty analyses. These authors did not take into consideration the intricacies of the land and maritime boundaries between Cameroon and Nigeria with regard to the Bakassi Peninsula, rather lumping the land and maritime issues together. Again, these accounts appear to be laced with nationalistic sentiments intended to provide an intellectual rationalisation and justification for Nigeria's resource-driven territorial ambitions in the Gulf of Guinea. Not only was the history of these important developments distorted, ingenious attempts were also made to re-write the pre-colonial, colonial and post-colonial history of the Peninsula. Methodologically, this development shows the danger of relying heavily on contemporary sources when analyzing historical developments. Of course, the associated arguments derive from the domination the Nigerian print media has exercised over the debates and discourses on the Bakassi Peninsula. Not surprisingly, Nigerian journalists fervently and uncritically aligned themselves with the official position of the Nigerian government and went into an emotive frenzy, beating the nationalist drum and successfully mobilising Nigerians into believing that sovereignty over the Bakassi Peninsula resides with Nigeria.

Theoretical and Conceptual Issues

Admittedly, a combination of the plural nature of the Bakassi population as well as the multifarious social, economic and cultural networks of the inhabitants of the Peninsula on the one hand, and the political economy of the Bakassi crisis on the other, would ideally make a single theoretical approach inadequate. Thus, a number of migration and borderland paradigms are applicable to the Bakassi Peninsula. For instance, African borderlands literature continues to emphasize the importance of border dynamics in the quest for politico-cultural self determination and irredentist claims on the one hand, and the struggles for the control over resources as keys to understanding border disputes on the other (De Koning 2008, 1; Kirchner 2006, 6; Asiwaju 1993; Mbembe 1999, 4-12). This paper aligns itself with this theoretical framework and argues that Efik irredentism was canalised into a national movement that was primarily meant to provide a pseudo-historical rationalisation for Nigeria's annexation of the Bakassi Peninsula. Indeed, the Bakassi conflict is a fine illustration of the kind of natural resource dispute that presently characterizes resource-rich African borderlands.

For instance, it is not fortuitous that the beginning of the Bakassi dispute in the early 1980s coincided with the discovery of large oil deposits just south of the Bakassi Peninsula (Olayiwola-Owolabi 1991, 42). Ofege (2005) also believes that the Bakassi crisis was ignited during the commissioning of the Sonara Refinery in Southern Cameroon when the Cameroonian gendarmes opened fire on a Nigerian military patrol killing five Nigerian soldiers. He further insists that this was also the period when French oil giant, Elf, pushed the government of Cameroon to proceed with raids on smuggled Nigerian petroleum products known locally in Cameroon as *Federal* and that the skirmishes between Cameroonian and Nigerian troops started as from this period.

Again, the contentious issue during the Bakassi crisis was not the people of Bakassi but the large deposits of oil that sit underneath the Peninsula and on the offshore maritime border zones. It is therefore plausible to suggest that Nigeria's decision after the Green Tree Accord to transfer sovereignty over the Peninsula to Cameroon, and the eventual relocation of many Nigerians

inhabiting the Peninsula are born out of the realization that the ICJ judgement did not impact negatively on the country's oil and gas resources. According to Chief R.A. Akinjide:

> People talk of only Bakassi, forgetting that the Atlantic section where the oil is we won it hundred percent…I want to say categorically that we gained more from that judgement than what we lost (*The Sun* September 15, 2007).

The Director-General of the National Boundary Commission, Alhaji S.M. Diggi further corroborates the above claim by insisting that Nigeria gained substantially from the ICJ judgement in spite of the fact that the area was conceded to Cameroon. For Diggi:

> To the best of my knowledge Nigeria has gained a lot in the sense that you find at least we have been able to save all our oil wells, including those being claimed by Cameroon (*ThisDay* December 2, 2007).

Some borderland theories and concepts are also germane to the Bakassi borderland. For instance the Bakassi region fits perfectly into the schema of African borderlands as identified by Adejuyigbe (1989, 31-35). Some of these features include remote and peripheral location from the capital city, lack of regional facilities, and pronounced intra and inter-borderlands interaction due to the transitional nature of borderland territorially, culturally and economically. The Bakassi crisis could also be situated within the purview of the traditional model of borderland disputes as enunciated by Ajomo (1989, 39). According to the author, border disputes are usually rooted in historical, geographical, cultural, economic and strategic claims. The dispute is historical because of Nigeria's claim to sovereignty through the instrumentality of the alleged suzerainty of the Obong of Calabar over the Peninsula during the pre-colonial era. It is geographical because of the claim by the belligerents that the boundary should follow a natural feature such as the Rio del Rey or the Cross River. It is cultural because of the irredentist aspirations of the Efik ethnic group. It is also economic due to the fact that the Peninsula is very rich in marine and oil resources, and finally, it is strategic because sovereignty over of the Peninsula would definitely confer special strategic advantages to its owner.

The Bakassi Peninsula also fits into the concept of maximal borderlands (Momoh 1989, 52-53; Omoniyi and Salami 2004, 176). Maximal borderlands are zones of continuities rather than discontinuities. They are mainly characterised by vibrant cross-border interactions. Indeed, the extent of interpenetration in the Peninsula is clearly evident in the size of the settler population as well as the establishment of special fishing and trading outposts in the creeks that are mere extensions or adjuncts of root communities in the mainlands across the borders (Omoniyi and Salami 2004, 176).

Moreover, until recently migration theories appear to be mainly concerned with modern Western migrations and sociologists often emphasise the search for employment as the major factor inducing migrations into a society that is already well-structured and organised (Faluyi, 1986, 1-2). This paper jettisons this Western approach to migration studies mainly because of its mono-causal explanation of a fundamental phenomenon. It is highly incontrovertible that the Bakassi borderland has witnessed mass movements of peoples from virtually all parts of the Gulf of Guinea and that a multiplicity of factors; political, economic, ecological, cultural and military gave rise to these migrations. Indeed, majority of these migrants are from the rural areas of southern Nigeria and the Isangele region of Cameroon. Thus, the pattern of migrations into the

Peninsula is in consonance with the 'rural-rural migration thesis' of Ajaegbu (1976) and Udo (1975).

Furthermore, scholarly debates on the dynamics of African borderlands have tended to focus either on the growing number of border disputes between states (Konings, 2005, 275; Meinhof, 2004, 424) or on frontier regions that are said to offer local inhabitants a wide range of economic opportunities (Nugent and Asiwaju, 1996, 11). This article finds both approaches applicable to the prevailing situation in the Bakassi Peninsula. In the first instance, the Peninsula has been a theatre of protracted violent dispute between Cameroon and Nigeria. In the same vein, it has, for cultural and socio-economic reasons, never constituted a real barrier to cross-border movements of peoples and goods. Indeed, the large Nigerian migrant/settler community in the Bakassi Peninsula has been able to benefit from formal and informal cross-border trade from time immemorial. Interestingly, this advantageous commercial position has also been a continuous source of conflict (Konings, 2005, 275).

The Bakassi Peninsula and Political Economy of Migration

Migration has always been a way of life, not only in, and around the Bakassi Peninsula, but also along the entire Cameroon-Nigeria borderlands. Indeed, the whole peopling of the Bakassi Peninsula and its history is a vintage account of migrants' manifold contributions to the socio-economic and cultural dynamics of a borderland zone. For centuries, waves of migrants have been flooding the Bakassi Peninsula in response to socio-economic, political and demographic factors (Ogen, 2008b: 159-163). These migrants include fishermen and women, traders, unskilled cross-border workers, seasonal migrants, artisans, and so on (De Koning, 2008, 8-10; Ardener, 1996, vii). Thus, migrants have always considered the Bakassi Peninsula as a socio-economic unit within which peoples as well as trade in goods and services flowed freely.

Indeed, the Bakassi Peninsula is not a single political entity, but a multiplicity of fishing villages and settlements and most of the migrants to the Peninsula especially itinerant and sedentary Efik fishermen and women as well as other categories of migrants have their roots in their home communities. Thus, the Bakassi Peninsula is a melting pot of various ethnic and sub-ethnic groups. These groups created strong socio-economic alliances and cultural synergies, however, the Efik settlers due to their population became the predominant ethnic group in the Peninsula. Thus, since at least the fifteenth century the territory in question has been occupied and governed by populations of Cameroonian and Nigerian origins especially the Bakole, Bakweri, Bakossi, Efik, Efut and Ekoi peoples (Kirchner, 2005, 8–9; ICJ, 1994, 4–5). The Nigerian and Cameroonian migrant communities in the Bakassi Peninsula eventually created common authorities, established communal rights to natural resources and negotiated settlement and usage of resources by new migrants (De Koning, 2008, 6). Migration and cross-border trade are of fundamental importance to the peopling and socio-economic well being of the Bakassi Peninsula. As a matter of fact, these two factors have proved resilient and withstood the vicissitudes and challenges of the 1913 Anglo - German Treaty on the Nigeria-Cameroon border, the 1961 Plebiscite, the 1975 Maroua Declaration, the 2002 ICJ judgement and the 2006 Green Tree Accord (Ogen, 2008a, 1-29).

The Bakassi borderland provides migrants with enormous economic opportunities. Migrants have learnt how to deal with different political and economic regimes at the same time. More often than not, these regimes are played against one another. There is extensive trade in

foodstuffs especially cassava and plantains from the northern Bakassi communities. These are marketed in the southern fishing settlements of Bakassi and at markets in Ikang and Calabar in Nigeria. The trade in Non Timber Forest Products (NTFPs) such as bush mango, chewing sticks, cane rope, snails, palm wine, etc., is also highly pronounced (Malleson, 2000, 227). In fact, even at the height of the Bakassi crisis when farmers and fishermen and women found it difficult to travel, some Nigerian traders still managed to venture into Cameroon to buy NTFPs (De Koning, 2008, 8). Apart from NTFPs, illegal logging activities also represent an important facet of cross-border trade. The dry forest north of the Bakassi Peninsula offers lucrative timber species for Nigerian furniture markets. Species like *abura* (*hallea ledermann*i) and cam wood (*pterocarpus soyauxii*) are richly found along the rivers and creeks of Bakassi. These logs are floated down to the port of Ikang in Nigeria (De Koning, 2008, 8).

The contrasting economic policies of Nigeria and Cameroon have also in a way promoted trade along the Bakassi border zone. The laws relating to cross-border trade are also ambiguous. Most of the consumables banned in Nigeria are readily available in Cameroon and this has opened up opportunities for local smugglers and corrupt customs officials to enrich themselves by taking bribes from local traders. Sometimes when banned products are seized or confiscated, the smugglers only need to increase the amount of gratification offered to reclaim their merchandise (Malleson, 2000, 227).

Findings from field observations and personal interactions with a number of migrants in the Bakassi Peninsula suggest that these migrants neither recognise nor have respect for international boundaries or border agreements. They moved out at will to markets in Cameroon, Nigeria and up to Equatorial Guinea. They fish in the high seas of Cameroon as well as Nigeria, they are the purveyors of foreign products some which have been banned in the host countries. These migrants are adept at fooling and compromising immigration and border patrols. Indeed, numerous Igbo trade diasporas established by the Igbo speaking people of southeastern Nigeria across the entire Bakassi Peninsula and beyond underscores the role of cultural processes of bordering in its social and economic contexts and the place of cultural memory in the formation of migrants' identities, trading networks and practices (Malleson, 2000, 228)..

Challenges of Conducting Migration Studies in the Bakassi Peninsula

Significantly, this paper also concentrates on the processes of the research endeavour by highlighting the challenges of migration studies in disputed borderlands such as the Bakassi Peninsula. Some of the research and methodological challenges that the researcher had to take into consideration include the security risks to his person and his informants, lack of access to the whole study area because of the prevalence of military personnel of different hostile regimes on the Peninsula and the general state of insecurity. Others include the reconciliation of official information with the reality of contradictory field observations, the ferreting out of sensitive information from security personnel and the researcher's responsibility in terms of protecting the confidentiality of interviewees. Added to these is the problem of the proper representation of the perspectives of extortionists and criminally minded informants. Invariably, traditional methodological historical approaches of conducting research had to give room to some measure of resourcefulness and innovation. All these provided a sense of intellectual adventure that is characteristic of most works on migrants in disputed border zones.

For instance, the few government officials that agreed to be interviewed would neither want their voices on tape, nor would they allow their names to be mentioned or their photographs taken. The traditional chiefs on the other hand went into lengthy discussions and irrelevancies all in a bid to rationalise the fact that in pre-colonial times sovereignty over the Bakassi Peninsula resided with the Efik kingdom of Calabar. Meanwhile, at Ikang on the Nigeria-Cameroon border many displaced and aspiring migrants were willing to share their experiences, customs and security officials readily breached professional boundaries to reveal sensitive information on the condition that their identities would not be revealed, touts and hoodlums were also too willing to talk for a small fee. At the National Archives of Nigeria located at Ibadan and Enugu, sensitive files on the Nigeria-Cameroon boundary dating from the 1800s were conspicuously missing. It was alleged by the archivists that most of the files on the Bakassi Peninsula were taken away by the Nigerian legal team during the case between Cameroon and Nigeria at The Hague and have not been returned. I was also given a serious lecture by one of the archivists on the security implications of the research I was embarking upon. In fact, I was advised to get security clearance from the Defence Headquarters in Abuja before the commencement of the research.

Conclusion

Almost a century of colonial partitioning as expressed in the 1913 Anglo German Treaty has effectively placed the Bakassi Peninsula within the territorial jurisdiction of Cameroon. The 2002 ICJ judgement also gave primacy and prominence to the 1913 treaty over and above the cultural and ancestral sentiments of the Efik speaking Nigerian inhabitants of Bakassi. Over the years, the Nigerian migrant community in the Bakassi Peninsula has experienced molestation, harassment, restrictions on their movements, the splitting of their communities, and even forced relocations. Nevertheless, cross-border interactions such as informal trade, population movements and undocumented migrations have remained resilient and enduring. Whatever the official pretensions of the Nigerian and Cameroonian authorities, the available body of evidence suggests that this scenario is not likely to change in any radical manner in the near future. In the words of Fawole (2009):

> Why do borders have to bother so much? Why are borders so burdensome? And Why can't Africans utilise borders as bridges and not as obstacles? Africa may not necessarily become borderless in the immediate future, but Africans should at least endeavour to make them bother us less.

The reality is that age-long informal socio-cultural and economic networks on the Bakassi Peninsula have made nonsense of the colonial partitioning which started with the 1913 Anglo-German Nigeria-Cameroon Boundary Agreement up till the recent 2006 Green Tree Accord. The Bakassi Peninsula is, therefore, a vintage example of the artificiality of African boundaries.

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Border issues as a topic in contemporary African philosophy:

On benefits that could be derived from the thought of Ifeanyi A. Menkiti

Preliminaries

Ifeanyi A. Menkiti[1] is fully cognizant of the historical, ethnic, and territorial specificities of the typical post-colonial African state,[2] which arose in the twentieth century as an organism characterized by deep ethno-cultural divisions.[3] Its borders were arbitrarily determined by Europeans, and in consequence the majority of African borders today divide the members of varying peoples[4] into the nominal citizens of different states. On the other hand, many peoples of dissimilar origin and culture live within the boundaries of one state. As a result of the activities of Europeans, Africa is today, as Menkiti puts it, a collection of legal entities imposed from outside.

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[1] Ifeanyi A. Menkiti is Nigerian in origin. He has a doctorate in philosophy from Harvard, where he was a student of John Rawls. A poet and a professor of philosophy at Wellesley College, he is the author of political and social-ethical works.

[2] In this article, I use the word 'Africa' to mean Sub-Saharan Africa, and the term 'Africans' in reference to the inhabitants of that part of the continent. I use the analogous adjective 'African' to describe communities, states, phenomena, processes, etc. connected with Africa south of the Sahara.

[3] Amongst contemporary African states, only Ethiopia and Liberia emerged prior to the 20th century. Multi-ethnicity is not, in turn, a characteristic of such African states as Somalia, Lesotho or Swaziland.

[4] In this article I interchangeably use the terms 'people' and 'group' to describe separate ethno-cultural communities in Africa, as these terms are the ones most often used for this purpose by Menkiti. His use of the term 'people' could be connected with its use by John Rawls (see his *The Law of Peoples with 'the Idea of Public Reason Revisited'*, Cambridge MA: Harvard University Press, 1999, p. V and, more in depth, §2.1 and §2.2, p. 23-27). Menkiti, however, uses the terms 'people' and 'group' interchangeably with such terms as 'nation', 'ethnic group', 'tribe', 'tribal group', 'tribal community', and 'tribal society'. He does not distinguish between the various meanings of such terms as 'nation', 'people', 'tribe', or 'ethnic group'. He even writes that 'the so-called tribes are nations' (in his "Philosophy and the State in Africa: Some Rawlsian Considerations," *Philosophia Africana*, Vol. 5, No. 2, August 2002, p. 41). It is worth emphasizing here that more than one African might consider a differentiation between, for instance, African tribes or ethnic groups and European nations, to be a somewhat artificial proceeding, rather like trying to find in Africa a difference such as that between beliefs and religion. The above difference could also appear to an African to be a heritage of colonial times, because such terms as 'tribe' or 'ethnic group' could imply some inferiority connected with Westerners' treatment of African communities as being less developed. On the subject of a lack of clarity, consistency or exactness in defining terms in political thought, see, for example, Krzysztof Trzciński, "A Reversal of Perspective: The Subject as Citizen under Absolute Monarchy, or the Ambiguity of Notions," in his (ed.), *The State and Development in Africa and Other Regions: Past and Present*, Warsaw: Aspra-Jr, 2007, p. 319-332.

Officially, African leaders recognize African state borders to be inviolable.[5] Nevertheless, post-colonial Africa has been, is, and doubtless will be in the future torn by conflicts of varying provenance, including separatist conflicts and border conflicts, in which the question of multi-ethnicity plays a significant role. In as much as multi-ethnicity is not in itself the cause for the emergence of African conflicts,[6] it can constitute their sub-strata, particularly when used by the principle actors to achieve certain objectives.

In Menkiti's opinion, the further existence of borders of post-colonial origin is a matter of secondary concern. He seems to see a future for the successful coexistence of various peoples within the framework of an African state above all from the perspective of whether there is justice. In reference to the relation between justice and the continued existence of an African state within its colonial borders, Menkiti writes:

'although borders may eventually need to be redrawn, we do not have to do so right now. Social justice is still a powerful silent partner in the preservation of state boundaries. If the African state earns the respect of its citizens through the achievement of justice in the public domain, then it may not matter whether Africa remains as is, with its present boundaries, or is adjusted back to its earlier arrangements. What is important is that citizens feel secure in their persons and that they know their life prospects are not being dismantled by the very state that is supposed to be advancing them.'[7]

These words confirm that for Menkiti it is not the integrity of the contemporary African state that is of value, but rather how the life of its members – that is, of the peoples who live within it – are organized. If the manner is equitable, then their coexistence within the colonial borders could be realistic, or a negotiated change in the borders could take place: for instance, by the peaceful division or unification of existing states.[8] However, if the fundamental injustices existing in Africa are not eliminated, the continent will continue to suffer from a

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[5] This was the official policy of the Organization of African Unity, which is currently the African Union. There have been various departures from this rule, however, both in connection with altering the course of a border (for instance, the case of Bakassi Peninsula) and with the dismemberment of a state (for instance, the separation of Eritrea from Ethiopia).
[6] This is testified to by the fact that in numerous multi-ethnic African states there has never been, from the moment of their foundation, an armed conflict.
[7] Ifeanyi A. Menkiti, "Normative Instability as Source of Africa's Political Disorder," in Teodros Kiros (ed.), *Explorations in African Political Thought: Identity, Community, Ethics*, London: Routledge, 2001, p. 146.
[8] Menkiti only remarks in passing on the possible emergence of a regional or continental 'assemblage of African peoples'. See *ibid*.

variety of conflicts. Menkiti prophesies that such a situation could lead to drastic results through the dissolution of multiple state organisms, and adds that 'the conservation of borders can itself become an exercise in futility, a self-defeating project, if the citizens of the state, for whom the borders are being conserved, find that their very state not only is not able to empower them, but has become instead a killing field, with them as victims.'[9]

Menkiti is aware that more than one Western expert considers that Africa's chief concern should be economic development,[10] and not the pursuit of justice. But Menkiti is convinced that there is no need to make a choice between the two, because, as he writes, 'unless Africa has social justice the fruits of economic development cannot be fully enjoyed. For social injustice breeds social resentment, and social resentment is a dangerous thing in the life of nations.'[11] In other words, he assumes that economic development is not possible in a situation where a significant portion of Africans feel themselves to be excluded or persecuted.

To implement the ideal of justice in the sense in which Menkiti understands it requires finding a new manner of agreement[12] amongst the peoples living in an African state. This agreement should be based on mutual respect and equal treatment among the peoples. To achieve this goal, Menkiti proposes a re-conceptualization of the state in Africa: the creation of a morally neutral, minimalist governing state, in which a reduction would take place in the competencies of the central government along with a cession of a large part of these competencies to lower level authorities.

As Menkiti puts it, for 'the reworking of ideas concerning political association'[13] the ideas of John Rawls could be useful, particularly his idea of a 'law of peoples'. In anticipation of the accusation that in turning to Rawlsian concepts he fails to perceive the fundamental diversity between Western and African thought, Menkiti explains that although there are naturally differences, they are frequently overblown, and he adds that 'a fruitful mutual engagement is possible between an ostensibly individualistic liberal philosophy and a communitarian cultural orientation, such as one finds in Africa.'[14]

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[9] *Ibid.*, p. 145.

[10] This issue has been discussed in depth by, for instance, Claude Ake. See his *Democracy and Development in Africa*, Washington D.C.: The Brookings Institution, 1996.

[11] Menkiti, "Normative Instability"..., p. 137.

[12] Menkiti also uses the term 'consensus' in this respect.

[13] Menkiti, "Philosophy and the State in Africa"..., p. 37,

[14] *Ibid.*

Justice as a group problem

Justice is one of those ideas whose meaning is easy to understand intuitively, but which is very difficult to define, particularly in a manner that will meet with universal acceptance. For each individual, different situations, actions or institutions could be seen as just or unjust, and the appraisal could vary with the circumstances. However, certain mutually held ideas of social justice,[15] involving the public dimension of life, and therefore society as a whole,[16] can and should be assumed to exist. Menkiti does not try to define social justice exactly, but he writes that it concerns 'the issue of what is a fair and equitable distribution of the burdens and advantages of social life'.[17] He is convinced that the existence of social justice in an African state requires three basic circumstances: 1. no more than moderate scarcity of goods, and thus a lack of extremes in living conditions within the state; 2. the, at least partial, goodwill of the members of the society towards each other; 3. an approximate equality in strength, that is, a situation in which the excluded or persecuted would be able to successfully harm their oppressors and fight for their rights, should they feel the need.[18]

In the thinking of certain Westerners (for instance, John Rawls), social justice involves a distribution of goods in which particular concern is accorded to the interests of those members of the state who are faring the worst and who have the least chance of improving their lot. Rawls sees social justice in the context of such phenomena as poverty, wealth, or well-being. Other thinkers (for example, Robert Nozick) concentrate on explaining social justice in terms of whether all members of the state have equal opportunities. Social justice is seen, in this sense, from the perspective of the (equal) rights of individuals within the state.[19] Although Menkiti appears to move within the framework of these two ideas of social justice, his thought cannot be ascribed to either. He appears to agree with both, and even to adopt the position that pointing to differences is not, for Africa, the objective. But this is not of much importance.

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[15] The idea of 'justice' in this article is used in this sense interchangeably with the term 'social justice'.

[16] See John Rawls, *A Theory of Justice*, Oxford: Oxford University Press, 1998, §1, p. 5, where the author writes that 'one may think of a public conception of justice as constituting the fundamental charter of a well-ordered human association', and although 'men disagree about which principles should define the basic terms of their associations', it is still possible to say 'that they each have a conception of justice. That is, they understand the need for, and they are prepared to affirm, a characteristic set of principles for assigning basic rights and duties and for determining what they take to be the proper distribution of the benefits and burdens of social cooperation.'

[17] Menkiti, "Normative Instability"..., p. 145.

[18] See *ibid.*, p. 138.

[19] See Roger Scruton, "Justice," in his *A Dictionary of Political Thought*, London: Macmillan, 1996, p. 285-286.

In general, in Western thought, the idea of social justice refers to the situation of the individual in society, and if it concerns a collective, then rather a social class or a minority. The basic precondition for the existence of social justice would appear to be the existence of democratic citizenship.[20] At the same time, in the inequitable situation of the typical African state, where there is also a continuation of strong group identities, no formation of a single nation, and a lack of real citizens, Menkiti sees the problem of justice chiefly in connection with groups in the sense of ethno-cultural communities (peoples, ethnic groups, tribes). In consequence, he proposes that the African discourse about justice should above all treat peoples as a whole and apportion them firstly an equal and appropriate share of the burdens and benefits connected with their mutual life in the state.

He asks, however: 'why all this talk about groups and the sense which people have of belonging to them? If individuals matter, and they do, why embed concern about them in a concern about the groups to which they belong?'[21] And he has several answers for the problem thus formulated. The original group, he considers, is unusually important for the individual in terms of defence against the state; the group can provide a sort of buffer or protective barrier for the individual against the state when it becomes pathological. Individuals themselves are simply too weak in such a situation. Thus, in African conditions, weakening the position of the group means lowering the security of its members. Menkiti claims that when weak groups fail, their members fall along with them. In Western thinking, it is rather the state that should ensure protection against the collective: for instance, protection for a religious community. Menkiti assumes the opposite. Such an approach would seem to be the result of the African state's being seen, in current conditions, as an abstract and enemy entity.

Furthermore, as Menkiti writes, groups 'need the space to prosper so that they can become for individuals the agent of transformation into full personhood.'[22] The group to which an individual belongs shapes that individual morally. This process occurs within all peoples (ethno-cultural communities) and within smaller communities such as within families, lineages, clans, or villages.[23] These communities instil within their members the norms and beliefs of their own cultures.

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[20] Cf. Rawls, *A Theory of Justice*..., §1, p. 4, where the author writes that 'in a just society the liberties of equal citizenship are taken as settled.'
[21] Menkiti, "Philosophy and the State in Africa"..., p. 49.
[22] *Ibid*.
[23] To describe smaller collectives existing within the framework of peoples, I use the term 'community', after Menkiti. Menkiti does not write, however, whether by 'community' he understands the extended family, a lineage, clan, or village (as a territorial, organizational, and social unit). In one of his works he uses, in a similar

Menkiti is convinced that in the traditional thought of many African peoples, the individual gradually acquires his personhood in the eyes of the community by the internalization of group norms and by acting in accordance with these norms in his adult life.[24] This moral concept of personhood carries the assumption that without the group there is no possibility of becoming a human being worthy of moral respect. Menkiti writes, in this regard, that 'left alone to themselves in a sort of disassociated outer region bereft of the moral substance provided by community, they fall short of person-standing.'[25]

The individual in Africa is therefore a deeply communal being. Menkiti expresses reservations about how his ideas on the position of the individual in African culture could fall within the framework of the discourse between communitarians and liberals. And indeed, alongside the very strong communitarian accents and the emphasis on the individual's belonging to a group, he also presents an intensely liberal view: [we declare each] 'person regnant within his or her own space, free to articulate an area of private understanding, without interference from others.'[26] What is interesting is that Menkiti considers that this opinion reflects African realities.

Immediately afterwards, however, he emphasizes the importance of the social nature of the individual, the individual's roots in the collective environment, and opposes supporting a vision of individual freedom in which the role of the group is overlooked. He expresses this in the following words: 'if one finds others not part of the inner story of one's own self, or is convinced that there is self sufficiency standing alone, then let this individual draw the appropriate conclusion and move out to start his own country, or nation, or state.'[27] He renounces the idea of individual liberty as the highest value. He describes such liberty as

context, such terms as 'village society' or 'village world'. See his "Physical and Metaphysical Understanding: Nature, Agency, and Causation in African Traditional Thought," in Lee M. Brown (ed.), *African Philosophy: New and Traditional Perspectives*, Oxford: Oxford University Press, 2004, p. 124 and p. 133. On the notion of *community* in Africa, see Kwame Gyekye, *Tradition and Modernity: Philosophical Reflections on the African Experience*, Oxford: Oxford University Press, 1997, p. 43, where the author writes that 'the notion of community (...) is a notion of particular social settings and networks' (...) 'These social settings and networks are of different forms and shapes: thus, the family (both nuclear and extended), clan, village, tribe, city, neighborhood, nation-state – all these are kinds of community.'

[24] On the subject of the traditional African moral concept of a human being (the idea of the gradual acquisition of personhood within the community) see Menkiti, "Person and Community in African Traditional Thought," in R.A. Wright (ed.), *African Philosophy: An Introduction*, Lanham: University Press of America, 1984, p. 171–182, and his "On the Normative Conception of a Person," in Kwasi Wiredu (ed.), *A Companion to African Philosophy*, Oxford: Blackwell, 2004, p. 324-331.

[25] Menkiti, "Philosophy and the State in Africa"..., p. 49.

[26] *Ibid.*, p. 40.

[27] *Ibid.*

'noninstrumental',[28] while the liberty he prefers is instrumental, assured by the group for itself and its individuals alike.[29]

The condition of the state in Africa

John Rawls claims, in *A Theory of Justice*, that 'an injustice is tolerable only when it is necessary to avoid an even greater injustice',[30] and thus when it is to the advantage of those members of the state who are faring the worst. Menkiti, however, is not writing about the existence of such injustice in reference to the condition of states in Africa. As he indicates, in Africa those who reap benefit from injustice are a class of cleptocrats, defined in ethnic categories. He stresses that most of the cases of abuse by an African state (identified here with the state authorities) towards its members have been connected precisely with an ethnic dimension. Menkiti recalls that, in the typical African order of things, people are not valued according to their work or knowledge, but in terms of which people they belong to and whether that people participates in power. In addition, it has more than once happened that the very life or death of a person rests on his origins. Menkiti simultaneously points out that the greater the harm resulting to persons from their inequitable treatment, the greater may be their anger and actions against the state.

The current African state, as Menkiti understands it, is also a domain for the clash of the identities and feelings of self-worth of varying peoples, possessing recognizable separate histories, cultures and achievements, of which they are proud. The pride of one people is, however, not infrequently offended by having their particular interests overlooked by other peoples, especially by those which hold a dominant position in the state and are thus in power. Menkiti, following Rawls, notes how counterproductive it is for achieving agreement to have the feelings of self-worth of one people slighted by other peoples.

Furthermore, the typical society of an African state has not yet become, as Menkiti puts it, a 'national people'. He writes, in this connection, that if we take into account 'the

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[28] *Ibid.*

[29] Menkiti sees the freedom of the individual entirely differently than does his teacher, John Rawls, who supports the liberal idea of the autonomy of the individual in the state. This does not hinder Menkiti's interpretation of Rawls' thought, however, when he writes about the relation between moral personality and justice (in his *A Theory of Justice...*, §77, p. 505-510), to confirm his belief that morality should be recognized by an African as necessary to a sense of humanity. See, more in depth, Menkiti, "Person and Community in African Traditional Thought"..., p. 176-177.

[30] Rawls, *A Theory of Justice...*, §1, p. 4.

changed nature of our social situation, the facelessness of secondary society arisen from a more intimate primary one'…'such a sense of [national] community cannot now be found.'[31] At the same time, he emphasizes that in the case of Africa, nearly every state is an experimental site involving an attempt to create a model of a 'multinational national society', which, in his opinion, has not proved effective in other parts of the world. He considers that variety within a people is a good thing, but a variety of peoples within the framework of a state is an antinomical undertaking. He adds that 'what makes up a national space is a national people, not many national peoples.'[32] The feeling of forming a nation in common should involve the unity of the nation as a definite political entity. Menkiti writes in this context that 'when, for example, in West Africa large segments of the Yoruba population are included in Nigeria, and significant other segments of the same Yoruba population are included in what is now the Republic of Benin, it does not take a genius to see that something is out of kilter, not quite right.'[33]

One could argue with this view, and point to the satisfactory or good relations between varying nations living in, for example, Switzerland or Great Britain. Menkiti is aware, however, that African multi-ethnicity is far different from the multi-nationalities of Europe. African experience has shown that the level of conflict between peoples living in one state is unusually high. It should be stressed that in the inequitable African state of today, the picture is one of rivalry between various groups for power and access to resources. There is thus no way to create a happy coexistence for various peoples in a situation where each is trying to appropriate the state at the expense of the others.

There is a hope, however, that justice within the African state could change this situation. A nation-state, as Menkiti says, is not constituted by some sort of proclamation, but is the social life of many generations, slowly creating the chemistry necessary for its being.[34] Perhaps the creation of such a nation, if it is at all possible, must be a historical process, connected with peoples' long-term experience of their mutual, equitable existence.

The problem of nation-states failing to form in African states is connected, in Menkiti's opinion, in large measure with the normative instability that characterizes them. This instability is based on the erosion of traditional African values and the appearance of new, Western norms, which do not harmonize with African cultural realities, and are thus often simply incomprehensible to Africans. Menkiti writes of 'a tragic shifting away from a

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[31] Menkiti, "Philosophy and the State in Africa"..., p. 45.
[32] *Ibid.*, p. 41.
[33] Menkiti, "Normative Instability"..., p. 144.

space of original dignities to a confused space of piddling activity, where role occupiers now enact roles without understanding their true meaning, so that when the rules say "jump", then jump is what all automatically have had to do.'[35]

Above all, the lack of structural continuity between native values and the disappointing political authority, which has been introduced according to foreign patterns, is very significant. Two orders function side by side in an African state: new political institutions devoid of normative effect for the state's members, and traditional values, whose influence is still strong although little supported by traditional political forces, which have been largely disassembled. Menkiti considers the basic source of normative instability to be the Europeans' faulty division of Africa. This division, he thinks, certainly served colonial economic expansion, if only by facilitating the rule of varying, sometimes mutually antagonistic peoples. But one of the most important effects of colonization, in his opinion, was the slowing of the evolutionary tempo of traditional African institutions and political culture.

Furthermore, in African states today there is a sort of home-grown incompatibility of orders: the traditional one, which developed over the centuries, and the contemporary one, which has been imposed. Menkiti writes, however, that 'in the light of the way things are right now in Africa, the continent must contend with the residue of its history, must play the hand it has been dealt, regardless of whether its problems arise from an inability to learn and sustain new values or stem, rather, from the fact that its ancestral value system had been destroyed by Europe's adventure.'[36]

Menkiti, in trying to evoke the scale of difficulties in creating a nation-state in multi-ethnic conditions, refers to the legal system. He considers that it makes sense for a state to have a single system of law. The introduction of the *sharia* in Nigeria has created, on the other hand, in Menkiti's opinion, a state like a two-headed beast. A situation in which the law does not play an instrumental role in uniting the members of a state cannot further the state's effectiveness.

The problem of normative instability is, however, much more complicated. In a typical contemporary multi-ethnic African state, as many different systems of values function as there are different peoples within the state. In consequence, there are many varying visions or claims concerning the nature of the state political order. And although – or perhaps because –

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[34] Menkiti, "Philosophy and the State in Africa"..., p. 48.
[35] Menkiti, "Normative Instability"..., p. 133.
[36] *Ibid.*, p. 137.

the central authority is ordinarily composed of the members of one or a few peoples, these strive to control the totality of affairs in the state.

A conception of the managerial state and devolution

To achieve justice in the African state, Menkiti postulates the necessity of refusing moral powers to the central authorities. By this he is suggesting that those questions that divide peoples in the state more than influence their mutual understanding should be removed from the sphere of the central authorities. Menkiti writes, after Rawls, that 'the more individuals and communities are kept from forcing their comprehensive views on one another as a consequence of assigning some sort of moral majesty to the state and its organs, the better for the health of the body politic',[37] and he adds that in the context of African political conflicts, it would seem 'that the less we allow the parties to bring to the political table their deeply held ethnic or cultural beliefs as to the right order of things, the better for all.'[38]

This postulate is a direct link to the theory of Rawls, who proposed that 'comprehensive doctrines of truth and right be replaced by an idea of the politically reasonable addressed to citizens as citizens.'[39] However, while Rawls noticed the divergence between the interests of the state on the one side and the individual as a citizen, extrapolated from his social environment,[40] Menkiti stresses once again that in Africa there is above all a clash between the interest of the state and the peoples within it.

For the purpose of preventing the peoples who form or co-form the central authority from imposing their own moral vision on others, Menkiti suggests concentrating on the task of re-conceptualizing the state in Africa at a certain minimum and thus 'separating the parties in conflict'.[41] He writes that 'to deprive the power at the center of its lethality in the event those in power are tempted to direct it unjustly against individuals or groups is, no doubt, an aim worthy of moral approval.'[42] In consequence, he claims that instead of struggling with further top-down and mechanical attempts to impose rigid unity, which could make the existing differences even more problematic, the African state should be made into an exclusively managerial one.

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[37] Menkiti, "Philosophy and the State in Africa"..., p. 38.
[38] *Ibid.*, p. 39.
[39] Rawls, "The Idea of Public Reason Revisited," in his *The Law of Peoples*..., p. 132 and, more in depth, §6.2, p. 171-172.
[40] See *ibid.*, §6.2, p. 171-172.
[41] Menkiti, "Philosophy and the State in Africa"..., p. 47.
[42] *Ibid.*, p. 46.

Such a state would be reminiscent of the idea of the night watchman state, as it should, in Menkiti's view, fulfil only three basic functions for its citizens: maintain security, ensure infrastructure, and facilitate trade. In this minimalist conception, the role of the state is thus reduced to creating the basics of common existence. The remainder of affairs Menkiti leaves in the hands of the peoples. It is not certain, however, in what manner the peoples of such a minimalist state would resolve between themselves those questions that concern everyone in the state and exceed the boundaries of the state's three functions.

In developing the idea of the managerial state, Menkiti proposes replacing the current model of the African state, which has a strong central authority, by a pluralistic state in which a careful devolution of power would take place. In his opinion, in the case of large impersonal state structures, devolution is necessary because only ceding power to lower levels will create the conditions for a real and proper securing of the interests of peoples and individuals. Care in bringing about this devolution is required both because of the possible reaction of the central authorities, who could feel threatened by, for instance, a sudden loss of a large part of their prerogatives, and because of possible attempts by local elites to separate their regions from the previous state organisms.

Menkiti does not specify, however, the principles for devolution. It is not certain whether devolution would be a simple decentralization of power in the state or some variant of federation, involving giving autonomy to the state's regions. It can be imagined, though, that in the second case the regions would be determined on the basis of ethnic divisions. If this were to happen, would the large, multi-ethnic cities have some separate status? The answer cannot be discovered in Menkiti's writings.

More importantly, the question emerges as to whether the use of the concept of 'devolution' means that, as is the British practice, particular regions inhabited by different peoples would have varying degrees of autonomy within the state, depending, for instance, on their size or simply on the needs articulated by their political elites and the outcome of negotiations with the central authority? And if this were the case, wouldn't it signify an inequality in the status of the peoples within the state? Menkiti omits these questions.

A law of peoples

Menkiti proposes that devolution should be accompanied by relations between peoples within the African state on the basis of Rawls' 'law of peoples'. Rawls wrote that by a 'law of peoples' he understood 'a particular political conception of right and justice that applies to the

principles and norms of international law and practice.'[43] In Menkiti's opinion, this law, although suggested by Rawls for international relations, could, in the case of Africa, bring about the realization of the goal that he describes as the peoples' 'willing participation in the shared life of a common state.'[44] The law of peoples could be treated as a fundamental constitutional principle for a multi-ethnic state and at the same time as a prescription for mutual respect between all the peoples forming such a state.

The following are the eight principles of Rawls' law of peoples:

1. Peoples are free and independent, and their freedom and independence are to be respected by other peoples.

2. Peoples are to observe treaties and undertakings.

3. Peoples are equal and are parties to the agreements that bind them.

4. Peoples are to observe a duty of non-intervention.

5. Peoples have the right of self-defense but no right to instigate war for reasons other than self-defense.

6. Peoples are to honor human rights.

7. Peoples are to observe certain specified restrictions in the conduct of war.

8. Peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime.[45]

Menkiti believes that these principles could provide the basic level of understanding between peoples in the African state. But this faith cannot be accepted uncritically. In itself, the temptation to find nourishment in Rawls' laws is not surprising. It is therefore worth remembering, once again, that the fundamental dimension of African statehood rests on the fact of its multi-ethnicity. As Menkiti writes, every people has its own primary normative doctrine and may be convinced that its own culture and norms are the best. Furthermore, African states are domains of injustice and lack effective means of peacefully resolving disagreements, which frequently grow into serious conflicts.

But how could the understanding, based on Rawls' law of peoples, come to exist in an African state, since Menkiti acknowledges the most important of the eight principles to be the first, which is to give sense to the rest? This principle postulates the freedom and independence of individual peoples. These are values that should be mutually acknowledged

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[43] Rawls, *The Law of Peoples...*, p. 3 (Introduction).
[44] Menkiti, "Philosophy and the State in Africa"..., p. 42.
[45] Rawls, *The Law of Peoples...*, §4.1, p. 37.

by all the peoples in a state, because, as Menkiti claims, when peoples view each other as free and independent, they require from one another mutual respect for their separate interests. Menkiti also writes that 'perhaps, the less potent the power at the center is rendered, the more attractive the prospects for individuals and communities in regard to their own flourishing', and he adds that he finds this 'a key application of a Rawlsian insistence on the freedom and independence of individuals and of peoples.'[46] However, he stops there and does not weigh what might be the other consequences of such declarations of independence.

The independence proposed in the first rule of Rawls' list concerns international relations, while Menkiti brings it to bear on internal state relations. Perhaps this could be understood as his accentuation of the fact that within the framework of a pluralistic state there is no place for the dependence of one people in regard to another people or other peoples. In short, all people should be equal to one another, as is explicitly formulated in Rawls' third principle, concerning agreements. There is no need thus to understand the independence involved here as state independence. It is not certain, however, whether Menkiti has such an explanation in mind.

If the postulated independence were to be understood precisely in the sense of state independence, this would mean that Menkiti acknowledges the right of African peoples to self-existence, and, in consequence, that he does not rule out activities aimed in this direction. In truth, he indicates that a too far-reaching devolution of power within the state could lead to problems with its integrity, but he simultaneously presupposes the possibility of reconfiguring African borders. His views on this point are so very unclear that it is difficult to accuse him of supporting the decomposition of African states, but, at the same time, such an intention cannot be ruled out. This ambivalence is not the only problem with applying Rawls' law of peoples to internal relations between peoples in an African state.

Menkiti does not devote comments to any other than the first principle of the law of peoples. In this respect it would seem to be important to underline the possibility of a contradiction between, for instance, the eighth principle concerning the obligation to render aid to peoples living in unfavourable conditions and the fourth principle, in accordance with which peoples should observe the prohibition against interference. Such a contradiction could also be pointed out in Rawls' law of peoples in regards to international relations.

The sixth principle, which says that peoples should respect human rights, would seem to be of more importance in considering the internal affairs of a state. For Rawls, these rights

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[46] Menkiti, "Philosophy and the State in Africa"..., p. 48.

were universal in character. And yet Menkiti's assumption that vastly divergent peoples could respect some common catalogue of human rights within the state framework is highly debatable. The very example of Menkiti's native Nigeria with its two official, differing, legal systems (not to mention local models) testifies to the serious problems that could be encountered in implementing principles on the respect of human rights.

What is to be done in a situation, where in the culture of a certain people, a rule forming part of the universal catalogue of human rights does not exist, and where simultaneously some norm that is in contradiction with this rule constitutes part of the identity and feeling of self-worth of this people, or of a broader religious community? How to resolve a situation where, for example, a universal human right prevents the followers of some religion or the members of a people from stoning a woman accused of adultery, when the punishment constitutes in that culture or religious community, to which the accused belongs, an important legal norm? How to make the freedom, independence, and equality of peoples and the principle of non-interference on the one hand accord with respect for human rights on the other? Menkiti does not answer these questions.[47]

The enpeoplement of Africans

In Menkiti's opinion, introduction of a managerial state and devolution, along with implementation of the principle of the law of peoples, should contribute to creating equitable practices and institutions in the African state, and, in consequence, should give the state's members a sense of the existence of justice, and truly enpeople them. Enpeoplement, in the large sense, could be understood as the formation in the African state of the *demos*, that is, a political people (or a civic nation), feeling a real tie with the state and being loyal towards it. It would be worthwhile, however, to stress again that for Menkiti, the basic entities in states are not individuals but peoples. Individuals are members of peoples, and peoples, together, form the state. In other words, the state is a collection of peoples, which are formed by individuals. The thinker's approach is asymmetrical in nature: aggregating for peoples, but very communitarian in regards to individuals. This means that the territorially described,

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[47] The traditional African moral concept of a human being (the concept of the gradual acquisition of personhood in the community), which is evoked by Menkiti, could potentially also conflict with that principle of the law of peoples concerning respect for human rights. The following question could be asked: would the individual, who did not observe group norms and would not be a 'full' person, be the possessor of human rights or not? And although the question would concern the relations existing among a specific people, it could become a matter of debate in light of the eighth principle of the law of peoples, on the obligation to aid peoples living in unfavourable conditions – those preventing their possession of an equitable or decent social system.

abstract state could imply simply the sum of the peoples forming it, at least until that time when its members have developed a feeling of loyalty towards it. However, a people, as a collection of persons united by real or mythic ties of blood,[48] a common culture and history, is something more than simply the sum of its individuals.

The idea of Africans' enpeoplement refers, therefore, in the strict sense, primarily to peoples, and only later has a possible application to the individual. The peoples' enpeoplement is to rest on making them equal in rights and thus in their equal treatment within the political state. Individuals are also supposed to be equal within the state, and, as a result, to have political rights. In a managerial state whose competencies are concentrated in three areas only, Menkiti writes, 'citizens can vote their will on these matters, and when they do, and their leaders respect the outcome of their votes, then an era of representative democracy would have arrived on the continent.'[49]

At the same time, however, he demonstrates that the individual cannot be abstracted from the context of his or her belonging to a specific people. And this belonging is significantly more strongly rooted than is membership in the state.

In Menkiti's thinking, two potentially contradictory approaches can be seen: on the one hand, Menkiti does not refuse the individual the right to vote, but on the other, he indicates that the individual is in large measure dependent on the people to which he belongs. Menkiti says, at the same time, that the African self is the opposite of a liberal self, which is, as he bluntly puts it, an isolated 'bundle of appetites'[50]. An African is a social being, formed by and forming part of a group, and, in short, cannot be an individual or autonomous entity.

But doesn't a contradiction appear in Menkiti's thinking in consequence? The making of a political choice should be the effect of the private opinions of the individual. From Menkiti's views, and also from the essence of the traditional African moral concept of a human being, it follows that the average African cannot be an active agent and individual interpreter of the world in which he or she lives. It is not difficult thus to imagine a situation in which the individual is convinced by the group to support a specific candidate in elections.[51] After all, wouldn't he or she, in the case of individual opposition to the collective opinion of the group, be breaking one of the group's obligatory norms? If this is the case, then

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[48]On the subject of mythical ties of blood, see Gyekye, *Tradition and Modernity...*, p. 77-114 (Chapter 3: Ethnicity, Identity, and Nationhood), particularly p. 78-81 (Part: Nation as an Ethnocultural Community).

[49] Menkiti, "Philosophy and the State in Africa"..., p. 38.

[50] *Ibid.*, p. 49.

[51] On this subject, on the example of relations prevailing in Senegal, see Ake, *The Feasibility of Democracy in Africa*, Dakar: Codesria, 2000, p. 170-172.

it means that the political right of the individual is exercised solely in the name of the group, and therefore, it is de facto a collective and not an individual right.[52]

The loyalty of Africans to the state

Menkiti writes that according to John Rawls, the citizen's loyalty to the state results from the sense of justice that is incidental to the existence of equitable practices and institutions. Menkiti seems to believe that such a state of affairs could also emerge from the conditions of justice in a multi-ethnic African state, whose members have been enpeopled. As he does not describe what, in his understanding, is meant by loyalty to the state, it must be assumed that it is an attitude that links the members' actions with the state's good, with their observation of its laws and discharge of their duties towards it. Loyalty toward the state, which should be understood as a human community above all, implies loyalty towards the state's other members, independently of their group affiliation. Such could be the fundamental premises of the theoretical essence of loyalty.

Doubtless, however, the majority of Africans have not formed a sense of loyalty towards the state, which is an entity quite different from the people to whom they belong. In conditions of state injustice, the state will appear to many of them to be an abstract and foreign structure, and also a symbol of force and compulsory tribute of various kinds. Probably, for most of its nominal members, such a state is not advantageous. State functions in the sphere of education or health care are frequently performed by institutions other than those of the state.[53] Menkiti emphasizes that in the context of the inequitableness between peoples in African states a tendency appears 'to turn inwards, seeking in intensified loyalty among members a solidarity deemed necessary for the group to get its share of the scarce resources.'[54] A situation of this kind cannot further the development of loyalty towards the state amongst Africans.[55]

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[52] On the subject of the collective appropriation of state offices by a group in Africa, see *ibid.*, p. 182.

[53] See Kwame Anthony Appiah, *In My Father's House: Africa in the Philosophy of Culture*, Oxford: Oxford University Press, 1992, p. 169-170, where the author writes about organizations (the Church, the Rotary Club) that act as substitutes for the state in the areas of education, social welfare, or health care. Appiah points to a typical situation in Africa, where the state, instead of fulfilling its functions, allows other entities to perform them.

[54] Menkiti, "Philosophy and the State in Africa"..., p. 41.

[55] On this subject see Damian U. Opata, "The Beautiful Interpreters Are Not Yet Here: The Poverty of Metaphysics of State and Civil Society in Africa," *Quest*, Vol. 12, No. 1, June 1998, especially p. 137-139 (Part: Problems in the Conceptualization of State) and 140-141 (Part: Problems of Citizen Identification with the State). See also Appiah, *In My Father's House...*, p. 167, where the author writes that 'the states of sub-Saharan Africa have few resources to buy loyalty and few achievements since independence to earn it in symbolic coin.'

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Menkiti shows, however, that during the period of introducing equitable practices and institutions, loyalty towards the group and loyalty towards the state need not be mutually exclusive. In his opinion, 'once we get beyond the simple case of marital or romantic fidelity, loyalties are not of their nature always mutually preemptive', and 'to believe in mutual exclusivity is to indulge in a very adversarial way of looking at the world.'[56] Menkiti does not consider whether the birth within the individual of loyalty towards the state won't be linked with the erosion of loyalty towards his or her own people. He believes that conflicts of loyalty can simply be avoided.

It would seem, however, that even in conditions where justice exists, if a conflict of loyalties were to occur, loyalty towards one's people would have significantly greater priority. And thus loyalty towards the state could, in certain situations, be sacrificed on behalf of a loyalty of a higher order. Even if, potentially, both loyalties are mutually complementary, they yet have different intensities, which in turn is the result of the different bases on which they rest. Ordinarily, loyalty towards one's people has a deep emotional or sentimental dimension.[57] It should be remembered that members of a people are bound by ties of blood, a common culture (at the basic level of communication – a language) and history. Together it all forms an unusually strong identity, which is additionally strengthened by a multi-ethnic environment.

In the relations of Africans with their state there are none of the above elements. Of course it can be supposed that loyalty towards the state will develop at a reasonable pace in conditions of justice. Menkiti assumes, however, that in an equitable state, the loyalty of the individual towards the state will primarily be formed by the people from which the individual originates. He writes that 'the civic spirit needs training in order to be adequately pointed outwards, and tribal society is an invaluable resource toward this end.'[58]

In general, however, Menkiti does not address himself to the question of the norms of one people being in contradiction with the norms of other peoples. In truth, the minimalist managerial state of the thinker's vision is to be morally neutral, but what would happen in a situation in which a conflict emerged between the norms of different peoples? Would loyalty

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[56] Menkiti, "Normative Instability"..., p. 140.
[57] Menkiti use the word 'affective' in this respect.
[58] Menkiti, "Normative Instability"..., p. 141. Identical views are presented by Ajume H. Wingo. See his "Fellowship Associations as a Foundation for Liberal Democracy in Africa," in Wiredu (ed.), *A Companion to African Philosophy*..., p. 450-459; "Good Government is Accountability," in Kiros (ed.), *Explorations in African Political Thought*..., p. 151-170; "Living Legitimacy: A New Approach to Good Government in Africa," *New England Journal of Public Policy*, Vol. 16, No. 2, Spring/Summer 2001, p. 49-70. Appiah agrees with Wingo's views. See his "Ethnic Identity as a Political Resource," in Kiros (ed.), *Explorations in African Political Thought*..., p. 46.

towards one's own people be greater than towards the state, and thus towards one's fellow citizens? If the individual were to choose, as seems less likely, loyalty towards the state, would he or she be breaking the group norms and would he or she be accused, by other members of the group, of disloyalty, or even be subject to the loss, in their eyes, of moral respect? And furthermore, in accordance with the traditional African moral concept, wouldn't such a choice hamper the individual in acquiring full personhood?

The assumption that, as Menkiti understands it, 'tribal life' is an excellent sphere of preparation for life in the state, gives rise to doubts. What norms will the tribal member acquire during the course of such an education in citizenship? They will be the values recognized by his own people. It should be recalled, once again, that the managerial state is not supposed to create comprehensive doctrines of truth and right. It can be assumed, however, that under state conditions of justice, every people will teach its members to respect other citizens and treat them equally. Behaving in accordance with these values could have its own limits, however, when it comes to a conflict of norms. Menkiti does not undertake to analyze such a situation. Instead he criticizes the general condition of loyalty towards the state – superficial in the best of cases, he thinks – in the Western world. On balance, he lets it be understood that a state can generally get by without the strong loyalty of its members.

Perhaps a state can exist without loyalty based on emotional foundations, but, after all, the functioning of a democratic state and the successful coexistence of its citizens depends on these citizens' observation of the state's laws and the discharge of their obligations towards it, and thus towards their fellow citizens. The very concept of citizenship, with which the enpeoplement of Africans should be linked, implies not only rights but also obligations. Menkiti does not at all touch upon this question. He refers only to the rights and responsibilities of peoples within a state, and to a lesser degree, to the rights which an individual should possess. It is also clear that individuals must fulfil various obligations towards the people of which they are members, as otherwise they might not acquire full personhood. But Menkiti does not write about what obligations the citizen would have towards the state.

Final remarks

Menkiti starts from the logical-sounding assumption that to achieve the happy coexistence of various peoples within a multi-ethnic African state requires some method of obtaining equitable agreement between them. For this purpose he proposes the establishment

in Africa of morally neutral, minimalist managerial states. In such states a major part of the central government's competencies would be ceded to lower level authorities, and the relations between peoples would be based on Rawls' law of peoples. As a result, a system of equitable practices and institutions would arise, which would give Africans the sense of living in a just state, would contribute to their individual and group enpeoplement, and would help in creating loyalty towards the state. This vision is intellectually appealing, but simultaneously counterproductive from the standpoint of the further existence of the multi-ethnic African state.

The point is not that Menkiti does not present any detailed method of introducing devolution or the law of peoples, although the task of finding a way for various people to come to agreement seems unusually complicated at the practical level. In Menkiti's defence, it should be said, in this regard, that political thinkers rarely suggest a definite solution to the issues of which they treat or a method of realizing the visions they present. These tasks they leave rather to the execution of sociologists, politicians, economists, and lawyers. The role of a philosopher would seem rather to be to sketch out general projects, provide deep reflections, and indicate new perspectives. Philosophers ordinarily see reality in a more abstract manner than other intellectuals; they appear to have a broader knowledge of human nature and the conditions for human actions, as well as an ability to make insightful comparisons of different experiences and to draw original conclusions.

But Menkiti's ideas are characterized by ambivalence and a lack of unity. It would seem that at times Menkiti is trying to convince himself that the idea of a multi-ethnic state could succeed, while at the same time assuming it would fail. He points to the need for Africans to develop loyalty towards the state in which they live, but at the same time seems to doubt the likelihood of the emergence of such loyalty. Sometimes he speaks about the necessity of creating an adhesive for the various peoples within the state, but then he refers sceptically to the possibility of building a nation-state of various peoples, which, as he indicates, *de facto* already are nation-states. More than once, openly or between the lines, he stresses that the integrity of African states within their current borders is not a fundamental value.

In this spirit, for instance, he recalls that in the contemporary world 'the old accepted understandings about the inviolability of state boundaries are being increasingly questioned (...). Once-powerful states are breaking up and national/or ethnic identities are reasserting

themselves,'[59] and he adds that 'if the Europeans acknowledge that their own states need not stay bound together, they can only come across as double-faced and duplicitous if they insist that the African state be kept together regardless of whether or not it has become a killing field.'[60] It is not at all these opinions, however, that are of fundamental importance in evaluating Menkiti's entire body of thought about the future of the state in Africa.

Of most importance are the questions that arise after a consideration of Menkiti's basic premises. Would an understanding between peoples based solely on certain minimal solutions guarantee the formation of a lasting and unified state? Of course, it can be imagined that the long-term, harmonious co-existence of various peoples in a state could produce its members' loyalty and the creation of a national identity. But to what degree could this process be facilitated by a state in which the comprehensive doctrines of truth and right of the various peoples are not replaced by any common normative system in reference to its citizens? While in Rawls' theory, justice in the state is based on precisely defined principles concerning the establishment of relations between members of the state as citizens,[61] Menkiti disregards this dimension of justice and concentrates on general principles of relations between peoples within a state. At the same time, for the construction of a lasting, unified, and effective state, the existence of common values determining the principles on which the individual is to function within it, would seem to be necessary. Such norms are created by a common legal system. If the legal system is different for the various peoples in a state, and thus for the various members of the state, it is very difficult to imagine the success of a plan to create a single nation. On the one hand, Menkiti complains of the existence of two legal systems in Nigeria, on the other he postulates the managerial state's avoidance of comprehensive doctrines of truth and right.

In consequence, it is unclear which universal norms, for the whole of the citizenry, should constitute the foundation for the legal order of the African state, since it is possible that human rights would be reflected only in a certain part of such a system. Menkiti does not write anything about which of these rights would be common for the various peoples. It is also unclear in what manner the legal order would be formulated and adopted by the state. And perhaps more importantly, if it is acknowledged that justice is based on law and its observation, then without a cohesive axiological system the achievement of justice in a common state would appear impossible. It is striking therefore that Menkiti does not mention,

[59] Menkiti, "Normative Instability"..., p. 148.
[60] *Ibid.*, p. 149.

amongst the basic functions of the managerial state, its ensuring the dimension of justice for the body of its citizens.

It is also worth considering questions of an economic nature, which are directly connected with the citizens' sense of justice. Menkiti correctly assumes that in the African state today there is no principle of an equitable distribution of goods, but rather that group whose members are in power profits the most. However, if in Nigeria, for example, the idea were introduced of devolution and the law of peoples, the question could arise over whether those peoples on whose land there is oil should receive more funds from the state budget (since they would certainly be putting more in) or whether the state should help those peoples more whose regions are the poorest, in accordance with the logic of an equitable distribution, which requires concern for those in the state who are least fortunate. In truth, Menkiti proposes the concept of the minimalist managerial state and, therefore, presumably, the right to dispose of the majority of funds would be left to the regional authorities, but even in such a case, the state would, for example, still be responsible for ensuring infrastructure. And at that moment, the above question would become a reality.

Another reflection at once occurs as well: namely, that Menkiti does not at all discuss how to equitably and properly divide between the citizens the burdens and advantages of social life in the state, but only how to equalize the position of its peoples. Furthermore, as a just distribution of goods is not at all included within the framework of devolution or the law of peoples, there is no direct connection between either idea and an essential condition of justice, namely, a lack of extremes in the living conditions of the members of the state. In consequence, it can be supposed that after the introduction of devolution, the regional authorities would be entrusted with justice, but only among the members of their own people.

How can a sense of justice be acquired by the members of a minimalist state in such a situation? If, for example, the peoples of a region with natural resources allow the majority of their funds from the extraction and sale of these resources to remain in the control of their leaders, they may become much richer than peoples without raw materials and will these latter feel that justice exists in their state? Will the poorer people consider the practices and institutions of the minimalist state to be equitable in such a situation? Will they feel loyalty to such a state?

A fundamental question, essential for appraising Menkiti's thought, should be remembered here. Why does Menkiti not present the basic principles on which relations

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[61] See Rawls, *A Theory of Justice...*, §10-§19, p. 54-117 (Chapter II: The Principles of Justice, especially §11, p. 60-65), and §45, p. 293-298.

between members of the state would rest? Why does he devote so little space to the question of their becoming citizens? Is it only because individuals in Africa are so strongly affiliated with their group? Rather not. It would seem that Menkiti is so interested in peoples rather than citizens because in his conception the managerial state is to be a temporary plan, and not at all a temporary plan on the road to building an equitable multi-ethnic state. Menkiti is rather seeking some sort of provisional solution for the coexistence of many peoples within one state because he is perfectly aware that in contemporary Africa the system of the majority of states is autocratic. In such a situation there is no easy manner in which to cast off the model of post-colonial, multi-ethnic statehood.

The situation could look different if the peoples in African states were, to use the Menkitian term, enpeopled. Enpeoplement means primarily the *sui generis* democratization of relations between them. This solution, it would appear, would be helpful in achieving such an understanding as would constitute the foundation for negotiating the peaceful reconfiguration of African borders and for building states of separate peoples. In other words, in conditions of enpeoplement, and thus the democratization of relations between people, multi-ethnic states could be peacefully disassembled.

The basic value of Menkiti's thought lies, therefore, in that he produces a reversal in the ordinary perspective on the future of states in Africa. When we think of the successful coexistence of members of such a state, we often acknowledge not only the obvious necessities of economic development and democratization, but also the maintenance of the state's present borders. Menkiti upsets this certainty and indicates that the multi-ethnicity and integrity of African states need not be a supreme value in the future.

He reminds us that over the course of centuries, the borders of countries around the world have changed. States emerge, evolve territorially, and more than once, have ceased to exist at all. It has often happened that states fell apart or united with others. Their territorial-legal systems have also undergone changes. These are not merely facts from distant history. Although it would seem that in contemporary times, changes in states' borders occur less often than in the past, such processes as the unification of states or, more often, their dismemberment through secession or division, still happen. A political map of the world is out-of-date within a few years. From historical experience it would appear that changes, or attempts at change, in a border ordinarily take the form of armed conflict,[62] but in democratic conditions such violent proceedings should not ensue.[63]

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[62] In the case of Africa, it is worth pointing out the two most famous attempts as secession: Katanga (1960-1963) and Biafra (1967-1970). The war in Eritrea (1961-1991) is so far the only African conflict that has ended by the

Menkiti shows us, in this context, that the inviolability of current state borders in Africa need not be a certainty. (And who if not a philosopher can better understand that not many things are permanent or final in nature?) Examples such as the separation (recognized by other states) of Eritrea from Ethiopia, or Somaliland from Somalia (deprived of international recognition), or the referendum planned for 2011 on the possible separation of Southern Sudan from Sudan, show that in spite of the official position of African governments, significant transformations of the political map are still taking place. In Africa, alterations have also been made to state borders as a result of the decisions of the International Court of Justice, basing itself in part on agreements dating from colonial times.[64]

Perhaps Menkiti is preparing us for the fact that in the future, changes in borders in Africa will be carried out on a much larger scale than previously,[65] and maybe, as he seems to believe, it can be done in a peaceful manner. The basic condition, however, must be the democratization of relations between peoples in African states – a Menkitian people's enpeoplement.

Menkiti's ideas and the examples of territorial change in Africa teach us that borderlands could be impermanent, and thus that there could be changes in the possession of peripheral territories (as in the alteration of a border), or the interior of a state could become a

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formal establishment of a new state (1993). The two bloody conflicts in Southern Sudan (1961–1972 and 1983-2005) were also separatist in nature. From 1975 until today, Ethiopia has been struggling with armed separatists in the Ogaden. The irredentist idea of forming a Greater Somalia, that is, to unite all the Somalis in one state, lay at the basis of the war in the Ogaden between Ethiopia and Somalia (1977-1978). In 1981 a conflict broke out in northern Somalia, which announced its independence from Somalia as Somaliland (1991). Although this country lacks international recognition, it possesses all the other attributes of a state, in contrast to the Republic of Somalia, which has been in internal disarray for years. These are only a few of the examples – the bloodiest or longest-lasting – of the armed attempts to reconfigure borders within the African continent. Various groups or peoples evoke separatism as a political ideology or negotiating strategy with the central government, for instance, in various regions of Ethiopia (e.g., in the land of the Afars, in Oromia), in Senegal (Casamance), in Equatorial Guinea (Bioko), in Namibia (Caprivi Strip), in Angola (Kabinda), in Tanzania (Zanzibar), and in the so-called Anglophone part of Cameroon, in the Comores (the islands of Ndzwani and Mwali), in Niger and Mali (so-called Tuareg separatism) and in Nigeria (the Niger Delta). Another instance of an attempt to change the existing African borders was the establishment of the Bantustans by the apartheid authorities of the Republic of South Africa.

[63] As in the peaceful separation of Czechoslovakia.

[64] It is worth evoking here, above all, the examples of the region of Aouzou (the dispute between Libya and Niger was resolved in 1994 by the International Court of Justice [ICJ] in favour of Niger), of the Bakassi peninsula (the dispute between Cameroon and Nigeria was resolved by the ICJ in 2002 in favour of Cameroon) and of the island of Lete and the area along the rivers Niger and Mekrou (the dispute between Benin and Niger was resolved in 2005 by the ICJ, predominately in favour of Niger).

[65] Just as Emmanuel Todd prophesied territorial changes in both the European and the Asiatic portions of the USSR in his *La chute finale: essai sur la décomposition de la sphére soviétique*, published in 1976 (Paris: R. Laffont; new edition 1990; English edition: *The Final Call: An Essay on the Decomposition of the Soviet Sphere*, translated by John Waggoner, New York: Karz, 1979). Todd's views seemed as absurd in the 1970s as Menkiti's views on the peaceful reconfiguration of African borders may appear today.

periphery (as is shown by the dismemberment of Ethiopia or Somalia). In consequence of this second situation, a borderland could arise in a former state interior. It is worth remembering therefore, that processes underway in today's borderlands could be productive of change. For instance, trade contacts in a borderland between members of ethnic groups currently inhabiting several African states could potentially, in the future, form part of these peoples' relations within a common state organism as the result of the unification of their states or parts of their states.

THE REPRESENTATION OF NATIONAL BORDERS AND THE FAILURE OF THE ARAB MAGHREBIAN UNION

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INTRODUCTION

The representation of borders in Africa poses many challenges in the 21st century. To face globalization and its threatening social and economic competition, many African nations tried to constitute economic, social, cultural, political unions. This study examines the particular case of the Arab Maghrebian Union (AMU) which was created in 1989 between 5 North African nations: Mauritania, Morocco, Algeria, Tunisia and Libya.

Although its high interest, the AMU still did not match the region needs. In fact, since its creation, many problems appeared, and in particular the difficulty of finding one same strategy in the followings areas: economy, duty, migration, monetary union and security. This study examines one of the factors that caused the failure of the AMU was without contest the specific representation of borders in the Arab, Maghrebian culture.

The research is organized into three sections. The first one reminds briefly the history of the AMU and the context of its creation and failure. The second part discusses to what extent the particular representation of borders in the Maghrebian culture was the major cause of the failure of AMU. The last part of the study proposes a series of recommendations that may make the AMU process start again.

1 / THE CREATION OF THE AMU

The Arabic word *Maghreb* means sunset and refers to the Western Arabian countries, being opposed to the *Machrek*, the rising sun countries (East).

A / FOUNDATION

The AMU groups the five countries of the Maghreb: Mauritania, Morocco, Algeria, Tunisia and Libya. It was created on 17th February 1989, in Marrakech, although this decision has been taken in Algeria during the summit held on 10 June 1988. Since its creation, only 6 summits took place, the last one 13 years ago[1].

In fact, the desire of creating a Union was an idea in the air since 1948, with the creation of the « *Comité pour la Libération du Maghreb* » since 1948. In 1964, the « *Conseil Consultatif Permanent du Maghreb* » (CPCM) was created to harmonise development plans between the 4 countries (Mauritania joined in 1988). At that time, the goal was to create a counterpart to the Economic Union. The first attempts of unification failed because of the Occidental Sahara issue, but interventions from the United Nations and some Arab governments created a more favourable climate to pursuit the union project.

B / OBJECTIVES

The AMU had many objectives, the most important being the following: the creation of friendly relationship between member countries, the free mobility of persons, goods and capital, the creation of a common economic, industrial, agricultural, commercial and social policy. In particular, the Union aimed at creating of a united duty system and creating a common market.

C / ORGANISATION

The management of the AMU is based on a council of chief of governments, a council of foreign ministers, a management council, a court of justice composed of 10 members[2], a consultative chamber composed of 30 members per country and 4 specialised ministerial

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[1] Tunis on 21-23 January 1990, Alger on 21-23 July 1990, Ras Lanouf (Libya) on 10-11 March 1991, Casablanca on 15-16 September 1991, Nouakchott on 10-11 November 1992 and Tunis on 2-3 April 1994
[2] 2 membres par pays

commissions per country (council of interior ministers, council of human resources, council of infrastructure and council of economic and financial affairs).

The general secretariat has been permanently established in Rabat since 1992, and the presidency turns over each year from one country to another. The permanent staff is around 40 persons and the annual budget varies around 1.85 million US$.

D / ACHIEVEMENTS

The AMU realised some achievements, and among them: the complete constitution of the AMU structures, the adoption of 36 Maghrebian conventions in many sectors, and in particular customs, insurances, architecture, environment and veterinarian control.

Face to this apparent failure of the union, many scholars attempted to evaluate the popular perception of the AMU. Luis Martinez for example, has held a survey in Algeria in 2006[3] to know more about the perception of the Algerians about the Maghrebian relationships and to try to evaluate to what extent the AMU is blocked. The results of the survey confirmed, as expected, the unhappiness of the Algerians. Thus, only 3 % of the panel was satisfied with the AMU policy, while 70 % declared being unsatisfied. But a new element appeared through this survey: this unsatisfaction was not accompanied with a rejection of the AMU process, but at the contrary with a waiting for results. As only 15 % of the persons interviewed mentioned a utopia, we can ask ourselves if the AMU project is not a popular one.

After this brief overview of the main characteristics of the AMU, next chapter will examine to what extent the particular representation of borders in the Maghrebian culture was a major cause of the failure of the Union.

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[3] With a sample composed of 80 individuals

2 / THE MAGHREBIAN REPRESENTATION OF BORDERS

This section examines to what extent the Maghrebian representation of national borders could be considered ad a determinant in the failure of the AMU project.

A / BORDERS AND TRANSNATIONALISM OF THE YOUNG

The transnationalism of the Young is without contest one of the major shifts that took place in the Maghrebian society, under the effect of globalisation. This complex feeling that frontiers that do no more exist, that we no more belong naturally to a land, a homeland, a continent, is strongly linked to the development of rapid transport means and new communication tools, as Internet or digital TV channels.

In fact, young Maghrebian are living today in an environment where it is much more easy to grow away from once roots and enter in a cycle of local, regional and even international mobility. This culture of transnationalism is not favourable to patriotism and panafricanism, and does not help the creation or maintaining of regional unions like the AMU. At the contrary, transnationalism pushes the civil society, and especially the Young, towards dreaming of utopian federations with the Northern societies.

If you ask any young Tunisian or Algerian, he would confess being more interested by a federation with the European Union than with the other Maghrebian countries. This is probably the sentiment denounced by the Libyan President Kadhafi during the memorable speech pronounced on 25th June 2008 in Conakry:

> « …*I am seeing before me young willing to go to Europe passing through Libya. Why do we want to go to Europe? We must decide to born and die in our lands... All this must take place with the creation of the United States of Africa*».

His slogan: « *You are in paradise, do not try to leave it !* » would have at least the merit of showing that the Libyan leader understood that the North/South migration in Africa is a major issue, and to what extent the culture of transnationalism of the Young puts a brake on the Maghrebian union process, but also on Panafricanism.

B / BORDER AND POLITICAL POWER

In our globalising world, borders have emerged as a space where politicians meet, discuss, sometimes agree but most of the time clash. In the Maghreb in particular, boundaries constitute a key element in the representation of national sovereignty, and are still perceived by the leading class as a political and diplomatic checkpoint[4].

The frontier constitutes in itself the limit of sovereignty of the state, and is therefore perceived by the political class as an area of power. In fact, borders are spaces of both crossing and closure, as they can be open or closed at any time, expressing the willing, strategy and power of the State.

Such representation of boundaries is very ancient, as we can refer to the seculiar tribal tradition which attributes to the leader an extended power, directly related to the borders limiting the environment of the clan. In this framework, it becomes difficult for a leader to delegate a part of his leadership to the benefit of a wider union authority. In this framework, how can we get from a geographically limited-but strong authority to an extended-but shared power?

Frontiers are also a matter of sovereignty-loaded sanction[5]. In fact, the power of state can be expressed through borders strategies, as visa procedures, removal, expulsion, repatriation, or the closing of borders for specific individuals or groups. This representation of boundaries has been observed all along the diplomatic conflict between Morocco and Algeria, caused by the Occidental Sahara. Since 1994, both Morocco and Algeria are making pressure on each others to close or open their frontiers. Whenever the Algerian government needs to show a peaceful face, he permits to Moroccans to enter freely its territory, and vice versa. At the contrary, when there is a need to show anger, the frontiers are closed, or at least a visa system is instituted.

The same strategy has been implemented by the Libyan government with the Tunisian neighbour. In fact, when the Libyan government wants to make pressure on Tunisia, frontiers are closed, and it happened that thousand of Tunisian legal workers were expulsed from Libya because of the unsatisfying position of the Tunisian government.

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[4] Guchteneire Paul & Pecoud Antoine, *Migration without borders*, Berghahn, Oxford, 2004, p. 58
[5] Guchteneire Paul & Pecoud Antoine, *Migration without borders*, Berghahn, Oxford, 2004, p. 58

We can understand that this vision of frontiers and power does not fuel the development of the Maghrebian union.

C / THE VISION OF BORDERS AS A CHALLENGE

We have just discussed the vision of frontiers as a source and way of expressing the power of the ruler. But that means that borders lead to transgression, as they can be crossed against the wiling of governments. This is what is happening right now in the Southern frontiers of the Maghreb, as Saharan borders are daily crossed by clandestine migrants. In fact, thousand of undocumented young Sub Saharan migrants are crossing the Moroccan, Algerian or Libyan Saharan routes in order to reach the Mediterranean shores, and then in a second step cross the Sea towards Southern Europe.

In the Maghrebian culture, transgressing the frontier is a challenge. Many interviews among young Moroccan, Algerians or Tunisians show that poor urban communities developed a real myth of the *haraga*. This neologism comes from the Arabic word *haraqa*, which means burn. In fact, before crossing illegally the frontier, the migrant burns his documents, so that he can not be identified by the police if captured. But the origin of the word *haraga* can also be simply burning, destroying the boundary.

The *haraga* is a real hero in the neighbourhood, and his family is proud of him. It often happens in Algerian or Tunisian families that the younger brother is pushed to cross illegally the frontier just like his brother did. In Tunisia, there exist brotherhoods of *haraga*, especially in the North West region[6], which is the more affected by unemployment and precariousness.

But, at a macro social level, the *haraga* becomes a serious problem, hindering the achievement of the AMU. We will come back to this point in the third part of the study.

D / THE PANAFRICANISM EXPERIENCE

The history of Africa shows that many unions and federations of states failed, and it seems that abolishing the border is a real challenge for African. The federation Senegal-Mali

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[6] The *haraga* of the North West go generally to Italy

did not last more than one year (1959-1960), Senegambia, federation of Senegal and Gambia, did not last more than a few years (1982-1989). The only successful abolition of borders is Tanganyika-Zanzibar (Tanzania), which exists since 1964.

This series of failures may be the result of some mistrust between the civil society and the spirit of panafricanism, which is based on the abolition of any notion of borders between neighbour countries.

Basing on this experience, the Presidents of the Maghrebian governments developed different strategies to concretise the Maghrebian union. In particular, Kadhafi (Libya) defends the idea of an immediate union, while the other head of states prefer achieving the project gradually. In all the cases, it seems that the geographical borders are a challenge for the achievement of the AMU.

D / THE MAURITANIAN BORDER

Mauritania is in a particular situation: although being part of the AMU and although its people are Arabic and Muslim, there exists a virtual - in addition to the physical - border separating Mauritania from the other AMU members. In fact, Mauritania is much more assimilated to Sub Saharan Africa than to the Maghreb.

3 / THE OCCIDENTAL REPRESENTATION OF THE MAGHREBIAN BORDERS

After having had an overview of the representation of frontiers by the peoples living inside it, it would be interesting to examine the other side vision. Next chapter will examine how the Maghrebian frontiers are perceived by the Occident, and in particular the European Union and the United States.

A / THE EUROPEAN REPRESENTATION OF THE MAGHREBIAN BORDERS

The European vision of the AMU is based on two main issues, one concerning the internal frontiers, and the other concerning their own homeland security.

a / BILATERALISM AND MAGHREBIAN FRONTIERS

The AMU was created in 1989, just when the European Union enlarged herself with the entry of Spain and Portugal. At that time, the Maghrebian project appeared to be in the same trend as the complex shifts that were taking place in the Mediterranean space.

In the beginning, the idea of abolishing national frontiers and create one Maghrebian space seemed to be in concordance with the globalisation and European integration. In this framework, the AMU appeared as a privileged partner for Europe, and it was expected that two homogeneous blocks will enter into negotiations from both shores of the Mediterranean. But despite the agreements signed with the EU in July 1995 (Tunisia) and in February 1996 (Morocco), and despite the Barcelona conference of 1995, the AMU will never be a major vis a vis in the Barcelona process.

In fact, Europe was too much bilateral in its procedures. Instead of being part of a South/North dialogue, the AMU did not negotiate agreements with the European Union, and we were in situation where each Maghrebian country started signing bilateral agreements with Europe. Paradoxically, frontiers between one Maghrebian nation and another were more difficult to bypass that the frontier between the Southern and the Northern shore of the Mediterranean Sea: Algeria was closer to France than to Tunisia!

The European vision of the internal Maghrebian frontiers was too much individualist, and that was one major problem for the AMU as a homogeneous economic, social and political space.

b / HOMELAND SECURITY

The second point concerning the European representation of the Maghrebian frontiers and AMU refers to the system of global apartheid in which South/North migration is a result of global inequalities but at the same time restricted. In fact, post 9/11 border security and control is now dominating any European national discourses. In this framework, the united Maghreb is perceived by Europe no more than a closed space, facing the Northern River of the Mediterranean Sea. This space was to secure in order to control the regular and undocumented migration flows.

In the era of globalisation and illegal mobility, Sub-Saharan transit migration is now the dominant form of human mobility in the Maghreb, turning the region into a vast, threatening transit zone. Every year, between 65 000 and 80 000 migrants reach the Maghreb through the Saharan frontiers. 80% of them go to Libya, while the remaining20 % go to Algeria, preparing the second step of the travel, towards Europe[7]. Suddenly, the Maghrebian countries transformed into the frontier zone between Europe and Sub Saharan Africa. As a result, borders are now turning Maghrebian countries into borders guards that have to assume the entire responsibility for the transit buffer zones[8].

In this framework, the European Union is making high pressure on the Maghrebian states to secure better its borders and create retention camps, impeaching transit migrants to reach the Mediterranean Sea. In a certain way, the Maghrebian boundaries are maintaining a dividing line between the North and the South.

The out-sourcing of the frontiers control to Southern countries where the free continental move of people had been practiced for decades is a real tragedy for the AMU. IN fact, that disturbed the traditional warm relations between the Maghreb and Sub Saharan Africa. For example, the new visa obligation for Africans entering the Maghreb illegalized suddenly the crossing into a territory most African people considered their legitimate zone of mobility. In a certain way, the European security homeland strategy is occurring at the cost of free movement within Africa, and of course at the detriment of the AMU South/South diplomatic relations.

B / THE UNITED STATES VISION OF THE MAGHREBIAN UNION

In risponse to the European *statu quo*, the United States were strongly interested by developing diplomatic, economic and cultural relationships with the Maghrebian countries joined together in a formal federation. For that reason, they pushed further the union project. Many actions were taken in this regard. The US MEPI project (Middle East Partenariat Initiative), for instance, focused on three sectors in the region: security, economy and energy. The February 2006 tour of Donald Rumsfeld in the Maghreb was also an important step in the renewing of relationships with the United States.

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[7] Lahlou Mehdi, *Le Maghreb: lieux de transits*, Actes Sud, 2003/2 - N° 10, February 2003, p. 44
[8] Guchteneire Paul & Pecoud Antoine, *Migration without borders*, Berghahn, Oxford, 2004, p. 58

Since the starting of the « NATO-Mediterranean Dialogue » in March 2000, many negotiations took place between NATO, Algeria and Morocco. On the energy sector side, more and more American oil companies are investing in Algeria, Tunisia and even Libya today.

The renewal of diplomatic relations between the US and Libya are another example of the shift that is taking place in the region. The promise of the new President of the United States to reduce the presence of the GI's in Iraq may have a positive influence on this strategy.

CONCLUSION

This study showed that the particular representation of borders in the Maghrebian society has been one major determinant - but not the only one - in the statu quo of the AMU project.

This brief reflection showed also that the Maghrebian countries are "losing" their frontiers to the profit of Europe. In fact, under the motif of homeland security and combating undocumented migration, European nations are controlling little by little the Saharan frontiers.

The question one could ask at this point is the following: will the Maghrebian society manage in the unification challenge? The second issue concerns the ambitious project of the United States of Africa, which is today one major project discussed by the African Union. In fact, if the other African sub-regions develop the same negative representation of their national borders, that means that we are still far from being ready to realise the unification dream in Africa.

Last, the recent initiative of the « Union for the Mediterranean", which could restart the previous and failed Barcelona process, will certainly not be reached if the representations of borders do not change, towards a more federative vision.

For the moment, there is a strong need of data concerning the perception of frontiers in the Maghreb. Although some surveys have been conducted to better understand the popular perception of the Maghrebian project of union, we still do not know to what extent the popular vision of boundaries can block the unification process.

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About a cock that scratched the sand and drew its marks
Saharan borders in the late 1950s

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Introduction

In 1962, Jean-Louis Quermonne, French professor of law remarked:

When he gave France a lot of Sahara for a lot of Sudan, Lord Salisbury declared: "The French cock likes to scratch the sand!" It seemed unlikely then that the Great Desert could harbour any useful riches, or at least not for a long time.1

Well, the French cock did scratch the sand and the discovery in 1956 of mineral riches lying underneath the Saharan sand, together with the gradual accordance of autonomy and independence to the colonies of the Maghreb and French West Africa, provoked a political and military conflict over Saharan territory involving France, Algeria, Morocco, the political elites of French West Africa and, of course, the local populations, throughout the late 1950s and early 1960s. The outcome is now known, but the borders on the Saharan map could have been, and at the time were indeed, drawn considerably different, leaving Algeria and the Sahelian countries severely smaller or even inexistent, and either Morocco considerably increased, or France even more strongly present. The conflict is the precursor to the Tuareg rebellions of the past two decades and the ongoing conflict between Morocco and POLISARIO, leaving one border on the African map an undecided dotted line. This paper concentrates on two episodes in this conflict between 1954 and 1962: the creation of the *Organisation Commune des Régions Sahariennes*: an attempt to keep the Sahara French, and the Moroccan aspirations to *al-Maghreb al-Aqsa*: greater Morocco. While the important economic motives behind these conflicts are easy to detect and explain, the emergent nationalisms among the Saharan populations are a less easy but equally important factor in the outcome of the border conflicts of the late 1950s and their legacy until present. I will here focus on these local actors, their motives and their impact on this second scramble for the Sahara.

The main theoretical issue here is that we are dealing with a set of borders that at one point were imagined, desired, contested, even bitterly fought over, but which in the end never materialised. The borders under discussion in this paper have never existed outside the realm of French law (in which their exact location was carefully left unmentioned), hypothetical maps, hot political debates and very real military conflict. But they have never been accepted. The question is then that very basic one: what makes a border a reality? Borders need to have

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1 Jean-Louis Quermonne, "L'Organisation Commune des Regions Sahariennes selon la loi du 10 janvier 1957". AMSAT - Dossier 35 - OCRS 1957-1962. Quermonne's remark on Salisbury's words was very popular in late 1950s France, but it was recollected wrongly what Salisbury had in fact said. In August 1890, defending the Anglo-French agreement on their respective West African spheres of influence, Salisbury did comment that the Sahara was 'light soil', but such a boutade as Quermonne has him make was too direct for the subtle dimplomacy that the border drawing of the 1890s in the Sahara required.

an impact on the mobility of people and goods. These borders never had such impact. Borders are drawn on maps representing geographical space. The borders discussed here were all drawn on maps, but these failed to become grafted on the imaginary landscape of the world that maps represent. They need to be set in law and internationally accepted treaties. Again, some of these borders were set in law and treaties, but these were not fully accepted and thus failed to become an internationally recognised reality. Border violations by neighbouring states need to have military consequence. These borders certainly did. They were disputed in war, but the fact that this war is now almost completely forgotten (except in Spain and in the Western Sahara) could be significant to the question how real these borders were. A good and solid historical border is one that had many wars being fought over it, commemorated in preferably large and pompous monuments where ceremonies are held. This war was so embarrassing that the Spanish authorities paid indemnities to its Saharan victims until the late 1960s. In France, archive records on this war are under embargo until 2020, while some of its veterans have written bitter memoires on the lack of recognition they received for their heroism.

So far I have carefully circumferenced questions about political consequence as they are much more complex. Politics does not have to leave the discursive realm to become real. The question is then: what is the historical and political consequence and influence of borders that existed for a short time and only in political imagination and discourse, on the political imagination of nation and state and their political realities in the Sahara? In other words, this paper wants to "insert history into borders and borders into history".

The questions around the reality of borders outside the discursive realm of politics are certainly pertinent for the French *Organisation Commune des Régions Sahariennes*: the OCRS. The OCRS did form a political, administrative and economic reality between 1957 and 1962, but it was a reality without territorial unity. Originally it was intended to regroup parts of Algeria, Mauritania, Soudan Français, Niger and Chad. At its creation in 1957, Mauritania was left out altogether for reasons explained below. Opposition to the whole project from the side of Soudanese politicians had been strong enough to deflect the OCRS from its original goals as a new colonial state, but the North of Soudan Français remained formally part of the OCRS until Malian independence. Chad left the OCRS that same year, leaving only Niger and Southern Algeria to form the OCRS until it was dismantled at Algerian independence. Thus, instead of being politically shaped as a colonial state within its own borders, as the French politicians who first dreamed up a unified Sahara intended it to be, the OCRS became an administrative and economic transborder reality. The form the OCRS took was insuffienctly strong to become a colonial state with the potential to become a post-colonial state. Instead it remained subjugated to the political realities of the decolonisation process as it slowly took shape in that same period, and hence to disappear with Algerian independence in 1962.

The ease with which the French administration proposed to change borders within Africa to create the OCRS is not surprising. It can be easily explained from within the rationale of French colonial territorial adminstration. The French colonial possessions in Africa were divided into four main units: Algeria, Madagascar, AOF (Afrique Occidentale Française) and AEF (Afrique Equatoriale Française), with the UN mandate territories of Togo and Cameroon appended to either of the last ones as a semi independent entity within (Cameroon to AEF, Togo to AOF). Only the borders of these four units with the adjacent colonies of other powers were fixed, but internally they were of few consequence. Passage of people and goods was free of taxation and intended to be free (although of course, under close political scrutiny).

AOF and AEF had their own currencies, still known as Franc CFA. The internal borders were indeed so flexible that they were often changed. It would lead too far here to sum all border changes up, but to give one strong example: between 1922 and 1947 the colony of Upper Volta (present-day Burkina Faso) was simply repressed, its territory divided between French Sudan (Mali), Niger and Ivory Coast. Closer to the case at hand: in 1944, the *Cercle* Hodh was taken from French Sudan and appended to Mauritania, of which it still forms part. This correction made sense in so far that the *Cercle* Hodh was fully inhabited by Moors who had all their social, cultural and economic ties to their brethren to the west in Mauritania. Nevertheless, even this border correction led to a small dispute between Mauritania and Mali in 1960, when Mali claimed the *Cercle* back. Thus, within the logic of French territorial administration, shifting the borders once again to create the OCRS was normal procedure, with the exception that this new colony would encompass the territory of three separate colonies which had truly been under different administrations: Algeria, AEF, and AOF. The other exception was that the political elites of the territories out of which the OCRS would be 'cut' were well on their way in the process of national imagination, their territories into fully-fledged nation-states.

The Moroccan side of the case presented here is slightly more complicated for two reasons. First of all, the Moroccan claims on Saharan territory were grounded in historical political realities that had been put to paper sometimes centuries ago. In 1957, it was a widely known historical fact that Morocco had ruled over Timbuku since Pasha Djouder had defeated the Songhay armies at Tondibi in 1592. Saharan political entities, tribes and cities, had at some point or another sworn allegiance to the Moroccan sultan, recognising him as ruler of the believers. But these declarations of allegiance did generally not involve territorial claims, let alone territorial delimitations. The Moroccan suzerainity in the Sahara had never formed a geographically coherent territory. Second, two decades after the conflicts discussed here, the Moroccan borders were indeed shifted towards the Sahara, but this Moroccan national presence in the Western Sahara remains contested by a number of its inhabitants organised in the POLISARIO. In fact this border redrawing, issuing straight from the 1950s dream of a 'Greater Morocco', forms the most contested border in Africa.

But the history of the OCRS is, indeed, history and what's more, it is a history of what was not and what is not. The borders never took shape, partly because not even those who wanted to draw them could figure out where to do so and partly because this project of borderredrawing, together with some other territorial disputes, led, in 1963, to the sacrosanct notion that African borders should not be contested and border disputes should best be forgotten about as quickly as possible. But this history of what is not and what was not is not a 'what if' kind of story, because not everybody forgot, not in the Sahara at least, that they once had been promised their own territorial sovereignty in another political constellation than the ones we know today. Thus, this paper studies the shaping and the political and social consequences of borders that are not there, but which have once been let loose on the political imaginary of the Saharan populations, who did not let it go.

The OCRS

Although the French efforts to remain in control over the Sahara became more intense after the discovery of hydrocarbons in the Algerian Sahara and the start of the Algerian war of independence in November 1954, the idea of a French Sahara predated these events. The first idea to unify the Sahara into one territory dates from 1951, when Emile Belime, the former director of the *Office du Niger* in Soudan Français, proposed to 'nationalise' the Sahara.

Belime headed a study committee for the creation of a French Sahara, which published its findings in 1952 and in that same years Senators Pierre Cornet and Pierre July proposed to regroup the Sahara into one autonomous *Région* under a High Commissioner of the Republic, or into a *Département*. Their propositions were voted down in the National Assembly, but the idea remained alive and in 1953 Senator Paul Alduy invited the government to promote the rational organisation of the economy in the Sahara.2 In 1956, the idea resurfaced with more urgency. In February 1956, oil was struck in Algeria near the Libyan border in the northernmost part of the Tamasheq world.3 Five months later, the largest oil well in Algeria until present started spouting its riches at Hassi Messaoud, while natural gas was pumped up at Hassi R'mel. At Colomb-Béchar, coal was mined. Various metals and other minerals were discovered in the Hoggar Mountains of Southern Algeria, and in Mauritania phosphor and iron ore were located.But the ongoing war of liberation in Algeria was threatening to spread into the Sahara, which would endanger the effective exploitation of this mineral potential. Unifying the Sahara into one territorial and administrative unit would facilitate countering military and propaganda actions from the *Forces de Libération Nationale* - FLN - the Algerian Liberation Army. Furthermore, the imminent independence of the sub-Saharan territories and the independence of the Maghreb could mean a loss of Saharan riches for France. This was made clear by the Moroccan claims on Mauritania, South Western Algeria and Northern Mali, and the subsequent Moroccan invasion of Mauritania in 1956 dealt with below.

The parliamentary debates, bills and amendments on the Sahara between 1956 and 1957 show the ambiguity of the plan to unify the Sahara and the resistance to these plans from African politicians. In March 1956, several different proposals were made in the National Assembly for Saharan unification. Proposition 1131 proposed to 'erect the total Saharan zone in a group of three French *Départements* with special status called *Afrique saharienne française*. Proposition 1198 simply proposed to 'proclaim the French Sahara a "National Territory"', as did propositions 1068 and 1627.4 What all these plans had in common was the idea that the Sahara should be put under direct French metropolitan rule. The Sahara was seen as 'French property', a mineral rich no-mans-land, to be efficiently exploited and administered.However, none of these projects had included Mauritania or the Soudanese, Nigerien, or Chadian parts of the Sahara. When the members of the Political Bureau of the Ministry of Overseas Territories discovered that these Saharan territories were not included, they brought this to the attention of their superiors.5 Overseas Territories was of the opinion that non-inclusion of the Saharan zones of AOF within a new Saharan territory would only enhance the administrative chaos. However, since all projects spoke of 'nationalizing the Sahara', their idea to include the Saharan parts of these territories within the new 'national Sahara' met fierce resistance from African politicians. The political leaders of Mauritania, Soudan Français, Niger and Chad did not relish the prospect of losing part of *their* future national territory and the potential mineral riches it might conceal.

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2 Based on Naffet Keïta, "De l'identitaire au problème de la territorialité. l'OCRS et les sociétés Kel Tamacheq du Mali," in *Mali - France. Regards sur une histoire partagée* (Paris: Karthala, 2005). 3. Annexe au procès-verbal de la séance de l'Assemblée Nationale du 9 mars 1956. ANSOM - 1affpol/2321/3. Jean-Louis Quermonne, L'Organisation Commune des Regions Sahariennes selon la loi du 10 janvier 1957. AMSAT - Dossier 35 - OCRS 1957-1962.

3 G Dillinger, "Il y a 40 ans, la France découvrait le pétrole saharien," *Le Saharien* 160 (2002).

4 Sahara, administration générale, correspondance et études au sujet de l'OCRS, 1954-1956. ANSOM - 1affpol/2321/4.

5 Sahara, administration générale, projets parlementaires et gouvernementaux au sujet de l'organisation du Sahara, 1953-1956. ANSOM - 1affpol/2321/3.

A major problem in the debates about administrative unification was how to delimit the French Sahara.6 To the west, north and east, this problem was easily solved. The French Sahara started in the west at the border with the Spanish Sahara. It ended to the north at the Moroccan border and the non-Saharan Algerian *Départements* and in the east at the border between Chad and the Soudanese Republic. Problems arose in the south. On what criteria the border between Sahara and Sahel should be drawn? On one side of the argument, the supporters of the Saharan unification believed the Sahara ended where the Sudan started. Here Sudan meant the original Arabic *bilâd es-sudân*: the 'land of the blacks'. The nomadic inhabitants of the Sahara; Tuareg, Moors and other Arabs, were seen as racially white. Accordingly, it was felt that those areas inhabited by these populations were Saharan, and areas inhabited by the black population were not. The French opposition to territorial restructuring countered this argument. They stated that many Moors and Tuareg were black, that the majority of the Tuareg lived as far south as the Niger Bend and Upper Volta (Burkina Faso), which could hardly be called Saharan, and that these populations were socially and economically interwoven with the populations surrounding them. Therefore, the idea of creating a new administratively unified Saharan territory including the AOF parts of the Sahara would end in chaos and problems for the nomad populations.

Eventually, the project to unify the Sahara was put in the trusted hands of the Ivoirien PDCI-RDA leader and French Minister of State Felix Houphouët-Boigny who managed to remove most of the political angles. His focus was on the creation of an *Organisation Commune des Régions Sahariennes*: OCRS, in which no mention was made of any political or territorial reorganisation, or of the delimiting of Saharan borders. All Boigny proposed to do, was to create an umbrella structure to coordinate economic and social developments in the Sahara, regardless of territory or state. Nevertheless, he had to defend his project against the political leaders of the Sahel colonies who still looked suspiciously on the OCRS as a French plan to annex their Saharan territory. Strongest opposition came from the Soudanese politicians of the US-RDA party, who still feared that territorial and political reorganisation would be detrimental to *their* 'national territory'. They openly and vocally opposed any form of territorial reorganisation in the *Assemblée de l'Union Française*, the political body with decisive power on the matter, and it was espcecially their resistance that would lead to the further abrogation of the future OCRS. Mauritanian politicans were more prone to use silent diplomacy to make it absolutely clear that they would refuse any form of integration in any other body other than the AOF, and thus Mauritania was left out from the OCRS from the start. In Niger politics on the OCRS were divided, but in the end Niger did sign the OCRS agreements to include the tin mining activities then already going in the Aïr Mountains in the OCRS development planning. Niger would remain within the OCRS until its dissolution in 1962.[7] Although Chad did join the OCRS, the impact on local development remained negligent.

Thus, Soudan Français occupied the most ambiguous position within the OCRS: included, but with great suspicion. Even in the final debates on Houphouët-Boigny's project, the Soudanese Senator to the *Assemblée de l'Union Française*Amadou Bâ proposed to amend the law such that:

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6 Based on Affaires politiques, Sahara, administration générale 1947-1958. ANSOM - 1affpol/2207/1; Affaires politiques, Sahara, administration générale, 1951-1958. OCRS, correspondance, débats, études (militaire, sociale linguistique etc...). ANSOM - 1affpol/2208/1. Under embargo until 2019.

[7] Georg Gerster, *Sahara: Desert of Destiny* (New York,: Coward-McCann, 1961). 250.

*The organisation of the Saharan regions should in no case lead to the creation of an autonomous territory.*8

After further debate Houphouët-Boigny managed to convince the Soudanese of the good intentions of the OCRS. His legal proposition was accepted and the OCRS was created on 10 January 1957. For Soudan Français this meant the inclusion of the Saharan parts of the *Cercles* Goundam, Timbuktu and Gao in the new structure.Soudanese suspicions were revived however, by the reaction of the French political estbalishment. François Mitterand, then minister of Justice reacted in favour of the OCRS, but commented that

*I would nevertheless have liked a more structured Saharan territory, more conform its geographical realities, administratively more autonomous from Algeria and the Black African Territories bordering to the South.*9

The ensuing creation of a Ministry of Saharan Affairs in June 1957, headed by Max Lejeune, former secretary of state at the Ministry of Defence made matters far worse. The new ministry was endowed with economic, social, diplomatic and political competences over the Algerian parts of the OCRS, the *Territoires du Sud*, two well delimited administrative territories which, contrary to the northern part of Algeria, were not integral parts of France; and the northern parts of Soudan Français, Niger and Chad (the limits of which were never specified). The diplomatic and political comptences given to this ministery made clear that the French had more than economic intents with the OCRS.10 From that point onwards, the political leaders of the AOF were no longer the only ones to oppose the OCRS. The Ministry of Saharan Affairs had been created to the detriment of the competence of the Ministry of Overseas Territories. Thus, some colonial administrators in AOF, who did not want to lose a part of their job or influence, and the Ministry of Overseas Territories, which felt likewise, now backed the African politicians against the competition of this new ministry.

The US-RDA politicians in Soudan Français strongly opposed the OCRS, but oppinions among the local populations in the *Cercles* on the matter differed sharply. The OCRS had fierce supporters within the French administration and military services, and also among the local Moorish and Tuaregpoliticians. This support is the major explanation for the fears the Soudanese political leaders had for the OCRS: support on the ground was such that it could be instrumentalised and used by the French to secede the northern part of the country after all. I will now focus on the local political effects the OCRS had in northern Soudan Français to illustrate the impact of newly imagined borders on political life in the Sahara, within the political context of those days.

Two players in particular stand out: the French intelligence officer in Soudan Français Marcel Cardaire, and the Moorish notable Mohamed Mahmoud ould Cheick, better known as 'the Cadi of Timbuktu'.Of all the officers who served in Soudan Français and in the Sahara in the late 1950s Marcel Cardaire was probably the most influential and certainly the best known. It is not exaggerated to place him in line with early colonial ethnographers and intelligence officers as Paul Marty or Maurice Delafosse. An officer in the Colonial Infantry, in 1954 Cardaire was posted in Soudan Français where he was integrated in the *Bureau des Affaires Musulmans*. He was obsessed with the possible threats that pan-Islamism and various

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8 Sahara, administration générale, correspondance et études au sujet de l'OCRS, 1954-1956. ANSOM - 1affpol/2321/4.
9 François Mitterand cited in L'Essor no 2447, 08/03/1957, cited in Keita, "De l'identitaire au problème de la territorialité. l'OCRS et les sociétés Kel Tamacheq du Mali.", 7.
10 Ibid., 5.

modernist currents in Islam, generally labelled Wahabism could pose to French influence in Muslim Africa, a subject he wrote an elaborate and well-informed book on.11 He initiated the so-called 'Counter Reform' movement to safeguard the influence of quietist Sufi Islam in French West Africa.12 Cardaire's involvement in Saharan affairs began in October 1956, when he was asked by the Ministry of Defence to study the Spanish Sahara, the Saharan areas of Algeria and the connections of its inhabitants with the AOF in political and religious matters.13 This request was connected to the conflict between Morocco and France over Mauritania (*infra*), and the ongoing Algerian war of independence. Cardaire took Mohamed Mahmoud ould Cheick as his travel companion and interpreter, because of his connections with the communities Cardaire wanted to visit. They visited Tindouf, Atar, Colomb-Béchar, Ouargla, Ghardaïa, and Algiers. Cardaire was rightly convinced that to the inhabitants of the Sahara, the French administrative frontiers played no role whatsoever when it came to information, affiliation and travel. Such peoples like the Arab Rgeibat, Tajakant and Berabish tribes, and the Tuareg thought and acted in interlinking networks of commerce, clan, and family affiliation extending from Colomb-Béchar, through Tindouf to Timbuktu and Agadez.14 In these networks Cardaire saw a possible danger for continued French control over the Sahara, should local leaders decide to side with Morocco or the Algerian FLN. In his report Cardaire recommended that the borders between Algeria and AOF should be considered non-existent when it came to intelligence and military operations. Preferably the borders should be officially abolished. Furthermore, France should take actions among the Saharan population to ensure their continued loyalty to France, if existing, or to win their loyalty to the detriment of pan-Arab, pan-Islamic and Moroccan or Algerian nationalist sentiments.15 His ideas and recommendations would return later that year in the debates surrounding the OCRS.

If there has been one advocate of the OCRS and the loyalty of the Saharan population to France, it is undoubtedly Mohamed Mahmoud ould Cheick, the 'Qadi of Timbuktu' and principal informant to Cardaire on Saharan matters. Mohamed Mahmoud ould Cheick was the chief of the Ahel Araouan tribe of the Berabish federation living north of Timbuktu. He was installed as Qadi of the Ahl Araouan in 1932, but had to resign his post in 1935, due to resistance from the local religious elite. Although he was reinstalled in his function, he resigned definitely in 1939.16 Nevertheless he kept using his title of Qadi, and remained involved in local politics although he never joined one of the two major political parties in Soudan Francais, the PSP or US-RDA.17 His main advantage over other Moorish and Tamasheq chiefs was that he could speak, read and write French and had an extensive knowledge of French political and general culture through his travels and his library, which contained works on French penal and criminal law and the *Petit Larousse Illustré*.18 The Qadi's finest hour came with the creation of the OCRS. Like the different Senators and

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11 Marcel Cardaire, *Islam et le terroir africain*, ed. IFAN, vol. II, Etudes Soudaniennes (Bamako: IFAN, 1954).

12 Louis Brenner, *Controling Knowledge, Religion, Power and Schooling in a West African Muslim Society* (London: Hurst, 2000).

13 Personnel de l'Administration Affaires Musulmans, 1942-1959. ANSOM - 1affpol/2235/2.

14 Rapport de chef de bataillon Cardaire sur les chaînes commerciales sahariennes, janvier 1957 - fiches de renseignement sur les Hassan, Tekna, Ahel Ma al Aïnin, Tadjakant, Kounta, Regeibats. Affaires politiques, Sahara, affaires diplomatiques. ANSOM - 1affpol/2261/7.

15 Personnel de l'Administration Affaires Musulmans, 1942-1959. ANSOM - 1affpol/2235/2.

16 Affaires politiques, Soudan, administration générale, évolution politique (rapports, télégrammes officielles, presse), 1947-1957. ANSOM - 1affpol/2198/11.

17 After the PSP's dissolution, the Cadi formed a new party - the Parti du Rassemblement du Soudan - together with PSP's second man Mamadoun Dicko. This party was short lived. Ruth Schachter-Morgenthau, *Political Parties in French Speaking West Africa* (Oxford: Clarendon Press, 1964)., 298.

18 Fiche de renseignements (personnages religieux) concernant le Mohamed Mahmoud o/ Cheick. ANM FR-1 E-42/II – Rapports politiques et tournees Cercle Tombouctou 1943-1957.

ministers discussing the creation of a Saharan territory in France, Mohamed Mahmoud ould Cheick was convinced that the existing borders in the Sahara posed a problem. But unlike French administrators and jurists, ould Cheick did not see any problem in drawing a new border in the Sahara that would separate the 'white nomads' from their 'black' sedentary neighbours. Or rather, ould Cheick felt that his native Timbuktu and the whole of the Niger Bend belonged culturally and economically to the Sahara and should fall under the political supremacy of the white nomads inhabiting the region, under the aegis of France. To prove his point ould Cheick wrote a book on the history of Timbuktu and the Niger Bend entitled *Kitâb al-turjuman fi tarîkh al-Sahrâ' wa-'l-Sudân wa bilâd Tinbuktu wa Shinqît wa Arawân (A Biographical Book on the History of the Sahara and the Sudan and the Lands of Timbuktu and Chingetti and Arawan)*. The book extensively deals with the merits of French occupation.19

In 1957, the Qadi started a campaign to promote the OCRS among the Saharan chiefs and notables, and to make their support for the OCRS and France known to the outside world. His campaign was based on the following arguments 1) the inhabitants of the Sahara are full citizens of France according to the *Loi-cadre* of 1956; 2) they have become French subjects by signing treaties with France, and not with the leaders of African independence movements with whom they feel no affiliation; 3) they are white and do not want to be incorporated into a territory or state dominated by blacks; 4) they have their own specific culture and society and do not want to be incorporated into a North African state or territory. The Qadi maintained therefore that the inhabitants of the Sahara should either be given their own territory within the *Union Française*, or should remain French citizens like they were at that moment. In January 1957, shortly after the creation of the OCRS, the Qadi gave an interview to the Parisian monthly *Le Télégramme de Paris*, in which he explained his point of view. On 30 October 1957 he wrote a letter of petition addressed to President de Gaulle, signed by 'the notables and merchants of Timbuktu'. This letter was published in *Le Télégramme de Paris* in December 1957.

If there exists a right to self-determination for a people, we would like to believe that we are allowed to make our aspirations known. We declare without restrictions that we already are, and want to remain French Muslims and an integral part of the French Republic. We manifest our formal opposition to being integrated in an autonomous or federalist Black Africa or North Africa. [...] We demand the incorporation of our country in the French Sahara of which we are part, historically, emotionally and ethnically. [...] France has not found us under Soudanese domination. We have the strongest confidence that glorious France will not give us away freely to anyone.20

This would not be his last letter of petition. The Qadi travelled extensively through the Sahara and Sahel. He first travelled to Ouargla, where a similar petition to de Gaulle was written and signed in the name of the traditional chiefs, the *Aghas*, *Caïds*, *Chioukhs*, the religious leaders, the notables and merchants of Ouargla. In Tindouf, he wrote a third letter of petition, which was signed by the *Caïds*, *Kebar*, merchants, the Qadi, the Imam, the notables of the Tajakant and Rgeibat. The letter was written in French and Arabic and signed and sealed first by Abdallahi ould Sidi Senhouri, *Caïd* of Tindouf, followed by 152 other notables.21 The Qadi

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19 Bruce Hall, "Mapping the River in Black and White: Trajectories of Race in the Niger Bend, Northern Mali" (University of Illinois, 2005)., 258-61.

20 Le Télégramme de Paris 23 (Decembre 1957), cited in Lesourd, M., Black and White (manuscript, May 1958). Fonds privées, Papiers Lesourd, Carton 1. SHAT - 1K297.

21 Les Caïds, Kebar, Commerçants; le Cadi, l'Imam, les Notables Tajakant et Regeibat; et tout ceux qui ont soussigné à Monsieur le Président de la République Française, Tindouf 05/02/1958. Fonds privées, Papiers Lesourd, Carton 2. SHAT -

also visited the Hoggar and Ajjer areas in Southern Algeria, but apparently the chiefs and notables in these regions saw nothing in his project and refused to sign the petition.22 Back in Timbuktu, he wrote a fourth letter, in the name of the traditional chiefs, notables and merchants of the Niger Bend, Timbuktu, Gao and Goundam, in which he restated the demands of his letter of 30 October 1957. 276 persons signed this last and longest letter.23 The Qadi did not limit his campaign to the nomad populations. He sought to include a maximum number of sedentary Canton and village chiefs as well. The reception of his ideas in these circles was greater than could be expected. In September 1957 Mohamed Mahmoud and his followers had the occasion to explain their petition in person to a delegation of the Soudanese government, including Madeira Keita and Modibo Keita, who visited Timbuktu.24

During the minister's reception in Timbuktu, the Qadi of the Kel Araouane, Mohamed Mahmoud ould Cheick, insisted on presenting the nomad position. At his arrival he organised a little manifestation, bringing together a number of supporters under a banner sporting "Long live the French Sahara". Then, received in audience, as well as two Berabish leaders, he presented the wish of the Saharans to be given a exceptional status (statut particulier), and the next day he tried to offer, without success by the way, a petition demanding the inclusion of Timbuktu in the Sahara. Without taking such outspoken positions, the chiefs confer on the representation of the Saharan regions in the OCRS Commission.25

In December that same year, the Qadi could again explain his vision to a visitor of Timbuktu: AOF High Commissioner (formerly known as the Governor General) Gaston Cusin.26 Clearly, Mohamed Mahmoud was not acting alone. First, he had the help of his brother Sidi Boubakar ould Cheick and his supporters. Then there were French officers who hoped to use the Qadi as the spokesman in a military strategy to unite what was referred to as the 'Saharan block' - the Tuareg and Moors - against both the nationalist forces of Algeria and the African political resistance against the OCRS as a political territory. Second, the Ministry of Saharan Affairs, which was still contested internally by the Ministry of Overseas Territories and externally by the African politicians, welcomed the Qadi's actions too. All signatories of the Qadi's petition received a letter of receipt from the Minister of Saharan Affairs.27 That these different services were at odds with each other becomes clear from a correspondence from the AOF High Commissioner Pierre Messmer. In reply to inquiries on the Qadi's activities by Madeira Keita, then minister of the interior of the Sudanese Republic, Messmer indicated that the Qadi could sometimes travel by military airplane.

1K297. The letter in French is typewritten as are the names of the signataries. The Arabic version is handwritten, the names of the signataries are in the same handwriting.
22 Idem.
23Claudot-Hawad, "Le politique dans l'histoire touarègue," *Les Cahiers de l'IREMAM* 4 (1993).. Of all letters I have seen, this is the only one carrying signatures, most in Arabic, a few in French and many thumb prints. All signataries were inhabitants of the Niger Bend, none of the signataries was originating from the Azawad or Adagh. A number of them were Songhay. Songhay interest in the petition is confirmed in Territoire du Soudan Français, Brigade Mobile de Gao. Renseignements A/s propagande en faveur du rattachement des Cercles de Goundam, Tombouctou et Gao à l'OCRS. 5 August 1958. ACG.
24 Territoire du Soudan Français, Cercle de Goundam. Revue mensuelle du mois de Septembre 1957. ACG.
25 Territoire du Soudan Français, Cercle de Goundam. Bulletin mensuel de renseignements, Septembre 1957. ACG. The 'minister' in this quote is likely to be Madeira Keita, although the text implies Modibo Keita.
26 Rapport politique mensuel Décembre 1957. ANM FR-1 E-42/II – Rapports politiques et tournees Cercle Tombouctou 1943-1957.
27 Lettre de Ministre des Affaires sahariens Max Lejeune à Matta ag Mamma, chef des Kel Intessar. 11 December 1957. Handsigned by Lejeune. AMSAT - Dossier 35 - OCRS 1957-1962.

*Minister, ... The inconveniences of this person's activities and the facilities that have been accorded to him by certain authorities have not escaped me. Thus, having learned that during his last stay in Paris, Mohamed Mahmoud conspired to obtain transport to Timbuktu by military aeroplane, I have intervened at the department, which managed to abort his project.*28

The Soudanese political elite, who still strongly disapproved of the OCRS, regarded the Qadi's actions with more than suspicion. In October 1957 the Soudanese Interior Minister Madeira Keita toured the North in order to see what was happening in the Soudanese part of the OCRS. His reports were alarming. In Gourma Rharous and the *Cercle* Goundam, Tuareg raided the herds of their former slaves. In Rhergo, a tribal Chief had publicly offended the *Conseiller Territoriale* Abdoulaye Nock (most likely a Tamasheq himself), forbidding him to speak in public and finally challenging him to a sword duel. Mauritanian Moors entered the territory to campaign for a greater Mauritania (*infra*). In the *Cercle* Gao, the Kounta *Cheick* Badi ould Hammoadi campaigned in favour of the OCRS and 'the separation of whites and blacks'.29 The Kounta *Cheick* had already campaigned for more political awareness among the Tamasheq and Moors in 1955 but to no avail.30 Inspired by the Qadi, he restarted his crusade. French reports about his activities and those of other Tamasheq chiefs confirmed US-RDA anxieties. It seemed the chiefs believed they could *affirm in no discreet terms, their wish to be integrated into a still badly defined OCRS which is not favoured by the African leaders of Soudan*.31

The Soudanese representatives in France accused the Ministry of Saharan affairs and the OCRS of engaging in racist policies, putting the Saharans against the Southern Soudanese population in order to make the OCRS a political territory after all.32 The OCRS was directed by aHigh Commission, which acted as a means of control over the Ministry of Saharan affairs and as highest executive organ of the OCRS. The Soudanese representation in this High Commission had been at stake during the autumn of 1957. Although the law Houphouët-Boigny on the OCRS stipulated that the representation of the Saharan populations should in majority be of nomad origins, the US-RDA had successfully contested this position. A number of tribal chiefs organised by Mohamed Mahmoud ould Cheick had proposed the territorial councillors Habib Wafi and Mohamed Elmehdi ag Attaher Insar as candidate commissioners. However the US-RDA appointed Mahamane Allasane Haidara, mayor of Timbuktu and prominent US-RDA member, instead of Habib Wafi, thus violating the stipulations of the selection procedure, but securing its oppositional voice in the Commission.33 At its inaugural session, Allasane Haidara made clear that the High Commission to the OCRS or the Ministry of Saharan Affairs should avoid to make the following 'mistakes': trying to transfer power from the Territorial Assemblies to the OCRS; trying to create a territory; and*creating animosity between nomads and sedentary peoples and*

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28 High Commissioner to the AOF Pierre Messmer to Minister of the Interior of the Soudanese Republic Madeira Keita. Dakar, 3 October 1958. AMSAT - Dossier 35 - OCRS 1957-1962.

29 Ministre de l'Intérieur et de l'Information Madeira Keita à Chef du Territoire du Soudan français, 06/11/1957. AMSAT - Dossier 35 - OCRS 1957-1962.

30 Gabriel Féral, "Administrations comparées en pays nomade," in *Nomades et commandants. Administration et sociétés nomades dans l'ancienne A.O.F.*, ed. Edmond Bernus, et al. (Paris: Karthala, 1993).

31 Affaires politiques, Soudan, Administration générale: évolution politique (rapports, télégrammes officielles, presse) 1958-1959. ANSOM - 1affpol/2188/3.

32 Ministre de l'Intérieur et de l'Information Madeira Keita à Chef du Territoire du Soudan français, 06/11/1957. AMSAT - Dossier 35 - OCRS 1957-1962.

33 Territoire du Soudan Français, Cercle de Goundam. Bulletin mensuel de renseignements, Septembre 1957.

*between the different ethnic groups of Soudan, Niger and Chad. Certain campaigns of agitation in Soudan lead to believe that there is a risk that this mistake will be made.*34

In Soudan Français itself thepolitical leaders were well aware of the potential danger of the OCRS and the Qadi's campaigns in favour of a Saharan Territory. They therefore counteracted all attempts to put the OCRS into effect on Soudanese territory until the September 1958 referendum on the new French constitution and the creation of autonomous Republics out of the former Overseas Territories. Future Malian president Modibo Keita would later admit that one of the reasons his US-RDA party had campaigned for a 'Yes' on the acceptance of the new constitution and the *Communauté Française* in the September 1958 referendum, was their fear that a 'No' would lead to French incursion on the Soudanese Sahara through the OCRS.

*In fact, certain Cercle Commanders in the Northern regions have created the myth of the nomad and the myth of the sedentary, the myth of the white and the myth of the black. They have created an embryo of opposition between white nomad and sedentary African elements. If, by consequence, we had to adopt a standpoint which risked putting us in opposition to the solidly implanted colonial element under these conditions, well, then surely the Soudan would have had its northern part amputated.*35

After the establishment of the Soudanese Republic in November 1958, Soudanese politicians remained reluctant to OCRS projects on Soudanese territory and afraid of nomadic agitation in the North in favour of France. Indeed, expectations among the nomad populations of Soudan Français about the outcome of the referendum were linked to their perceptions of the function of the OCRS. In short, they expected that voting in favour of Soudanese participation in the *Communauté Française* had meant that their land would stay French within the OCRS. The visit to Goundam of High Commissioner to the AOF Pierre Messmer in November 1958, shortly after the proclamation of independence of the Soudanese Republic, again raised such expectations among the nomad population.

*Great importance has been attached to this visit in Tuareg circles, which expected either a definition of their status, which they see, rightly or wrongly, as not yet defined in the present conjuncture, or an occasion to manifest their separatist (particulariste) sentiments and aspirations. After the visit of these higher authorities, they feel the question remains unsolved and a certain feeling of discomfort remains.*36

After full Malian independence in 1960, the OCRS remained existent in Niger, Chad and Algeria, until Algerian independence in 1962. Mali, despite the visible financial and material advantages of the OCRS in Niger and Algeria, formally retreated from the organisation, to the regret of the Tuareg. It is clear that the nomad populations of the North had great interest in the OCRS, but it was not their only point of reference. Most tribal chiefs and Tamasheq and Moorish *évolués* knew full well what the international political setting was and what their position in the 'national' field was. They estimated the latter to be a future position as a national minority without effective power (although they were unlikely to have used this term

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34 OCRS, Haute Commission, Proces-verbal de la session inaugurale tenue à Paris (21 au 24 Janvier 1958). ANSOM - 1affpol/2321/6.

35 Speech by Modibo Keita at the 3rd territorial conference of the US-RDA, 29/09/1959, cited in J Dupuis, "Un problème de minorité: les nomades dans l'état soudanais," *L'Afrique et l'Asie* 50 (1960). 30.

36 Republique Soudanaise, Gouvernement Provisoire, Cercle de Goundam. Revue mensuelle du mois de décembre 1958. ACG.

themselves). They estimated however that the international setting could perhaps generate a measure of autonomy through the complications of the struggle over the Sahara, but also through the struggle in Algeria and the Middle East, and the larger setting of the Cold War in general.

*The nomads are particularly informed. If an old chief such as the amenokal of the Iforas, who now lives retired, inquires with his passing guests after the OCRS, Egypt, Morocco, the developments in the Algerian war, Russia and the United States, it clearly shows the present worries and to which point the entire Sahara resonates the news of all events that could have an impact on their proper lives.*37

Greater Morocco

On 2 March 1956 the Kingdom of Morocco became an independent state under Sultan Mohamed V. But in 1956, Moroccan politics had not found their balance yet. The National Istiqlâl party was divided in various political wings. No one doubted the legitimacy of the Moroccan Monarchy, but just how much power the king should have was in question. There existed various military forces in the country. In the Rif Mountains, a rebellion broke out opting for independence outside Morocco. Then there were the Royal army and the more or less competing Liberation Army under control of the Istiqlâl. More important for our subject, many Moroccan politicians felt that large parts of the country were still under foreign domination despite independence. On this issue, the Istiqlâl was divided into two camps. The left wing with Mehdi Ben Barka concentrated on political reforms within Morocco, while the right wing under Allal al-Fassi strived for the liberation of what it called *al-Maghreb al-Aqsâ*: literally the 'far west', with which were meant the outer reaches of the Maghreb or, as it were, 'Greater Morocco'.38 In July 1956, Allal al-Fassi presented a Map of 'the Moroccan Sharifian Kingdom in her natural and historical borders'. The map showed what the Istiqlâl considered as the liberated parts of Morocco and those it considered to be under foreign tutelage, but historical part of the Moroccan kingdom. These 'occupied areas' included the Spanish Sahara, Mauritania, the Algerian *Territoire des Oasis* and Soudan Français from the Algerian border at Bordj Mokhtar south-eastwards, via Arouan to Néma at the Mauritanian border with Soudan Français. The claim was not only based in historical and nationalist sentiments. The Mauritanian north is rich in iron ore and phosphate, riches the Moroccan government could well use. Although their claims were vast, the actual dispute over territories in the 1950s would be concentrated on Mauritania and the Spanish Sahara.

All sides to the conflict - mainly France and Morocco, but also the Mauritanian political elite - used diplomacy, press campaigns and military action to win the Mauritanian population and other Saharans to their side. Part of the Mauritanian population, politicians and other elite agreed with the Moroccan claims. They were headed by Horma ould Babana. As the leader of the *Entente Mauritanienne* party, Horma ould Babana had been elected to the Assembly of the Union Française in 1946. In subsequent elections however, his party became oppositional to the *Union Progressiste Mauritanien* (UPM) headed by Mokhtar ould Daddah, the later president of independent Mauritania. In the conflict over the mere existence of Mauritania, disputed by Morocco, Mokhtar ould Daddah was the head of the pro-French part of the Mauritanian elite. Ould Daddah was a very prudent politician who managed to keep his country together by developing the political doctrine that Mauritania was the turning point

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37 Territoire du Soudan Français, Cercle de Goundam. Bulletin mensuel de renseignements, Juin 1957. ACG.
38 Based on Herman Obdeijn, Paolo De Mas, and Ph Hermans, *Geschiedenis van Marokko* (Amsterdam: Bulaaq, 1999). 150-157.

between the Arab Berber Maghreb and 'black Africa'. This doctrine was given substance by a kind of neutrality of non-adherence to any regional or supra regional project. Despite French pressure, ould Daddah refused to have Mauritania join the OCRS. Thus he managed to keep strong pro-Moroccan and anti-French sentiments in check. A third important political party was the *Association de la Jeunesse Mauritanienne*, a group of young *évolué* headed by Ahmed Baba Miské, who took a radical stance towards independence from France and were decisively pan-Arab in ideology. The AJM was divided on the question of Mauritanian existence, with a majority of its members ultimately opting for the Moroccan side. Both the Moroccan and the French camp tried to convince the chiefs and religious leaders in Mauritania to join their side. The most important traditional chief to join the Moroccan camp was Mohamed Fall ould Oumeir, the Emir of Trarza, but most others remained in the French camp.

The struggle did not stay on the level of propaganda and diplomacy.39 In the last months of 1956, the Istiqlâl organised an invasion force of approximately 5000 men. Part of this army consisted of officers and men of the *Jaish li Takhrîr al-Maghrebiyya* or *Armée de Libération Marocaine* (ALM): the Moroccan Liberation Army. The ALM was well equipped with sufficient personal weapons, mortars, field telephones and vehicles, and discipline was strong. Most of the fighters however were recruited locally among the Rgaybât from the Lgouacem clan. The Rgaybât are a Moorish tribe, famous for its camel based pastoral life, whose pasture grounds stretch from Goulmime in Southern Morocco to the Drâa valley, through the Seguiet El Hamra and Rio D'Oro or Spanish or Western Sahara, southwards into Mauritania, and eastwards to Tindouf in Algeria, and from Taoudenit down to I-n-Dagouber in Mali. The Rgaybât had formed the core of warriors around the famous Moroccan resistance fighter Maa Al-Ainin in the Drâa valley and beyond, a region that was never fully under French rule and was known as the *Territoire Militaire du Drâa*, ruled (or rather, roamed) by French army officers. The last of the Rgaybât leaders had only surrendered to France in 1934. Throughout the conflict of the 1950s, the Rgaybât would play their own political game with the newly imagined borders in their homeland. In 1956, drought had hit the Rgaybât Lgouacem pastures in Mauritania, forcing them to move up tot their pastures in southern Morocco. The Rgaybât lived in hostile relations with most Moorish tribes in the southern part of Mauritania, who dominated Mauritanian political life, hence their resistance to the idea of Mauritanian independence. Furthermore, borders between their pastures complicated their nomadic existence. Thus, while herding their camels in Southern Morocco in 1956, the Rgaybât joined the ALM forces.On 13 January 1957, the ALM Rgaybât forces invaded Mauritania, with Atâr as their main goal. To get there, the ALM fighters had to cross the Spanish colony of Seguiet El Hamra and Rio d'Oro. According to French sources, the Spanish authorities let the ALM pass for two reasons. First, they did not have the means to stop them. Second, the Spanish were said to have struck an accord with the Istiqlâl to let the ALM into Mauritania unhindered in exchange for the dropping of Moroccan claims on Sidi Ifni, Villa Cisneros, Ceuta and Mellila: Spanish enclaves in Morocco and West Sahara. The ALM forces were driven off, mostly through the military assistance of local Moorish tribes hostile to the Rgaybât, including other Rgaybât clans hostile to the Lgouacem clan, headed by retired army Colonel Borricand. The French escape was narrow as the ALM forces had superior equipment. Only

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39 The following paragraphs are based on; Affaire politiques, Mauritanie, maintien de l'ordre 1957/1958. ANSOM - 1affpol/2229 and Affaires politiques, Mauritanie, administration générale 1956-1958. ANSOM - 1affpol/2172. Both dossiers are under embargo until 2020. And J Guillemin, "Les campagnes militaires françaises de la decolonisation en Afrique sud-saharienne," *Le mois en Afrique. Etudes politiques, economiques & sociologiques africaines* XVII, no. 198-199 (1982), A de Boisboissel, "Situation au Sahara occidental à la veille de l'indépendance mauritanienne" (1963), Lt. Perrin, "Methodes insurrectionnelles dans le sud marocain," *CHEAM 2953* (Paris1957), ———, "Le probleme de la frontiere méridionale marocaine," *CHEAM 2955* (Paris1958).

timely air support called in from Algeria saved the French forces on the ground. In June 1957, a large number of Rgaybât Lgouacem defected the ALM and surrendered to France. The French accepted their surrender, gave them cloth and tea in recognition, and assigned them pastures in the Adrar, which was exactly what the Rgaybât came looking for. Their transhumance cycle, rather than their political sentiments, had led them to the Adrar in June. Thus the ALM forces were depleted. But in September 1957, a new ALM force stood ready for invasion. This time their goal was the Spanish Sahara, the territory of their former silent allies. It came to heavy fighting over the main Spanish enclaves at the coast: Sidi Ifni, Villa Cisneros and Cap Juby. The ALM managed to capture Tentane and Smara from the Spanish troups. In threat of escalation, elements of the Spanish fleet patrolled the coast under Agadir. In retaliation of the ALM incursions, the Spanish and French armies jointly launched a counter offensive in February 1958 under the name *Opération Ecouvillon*, involving 10.000 men.40 The main front of this operation was situated in the Spanish Sahara. The French forces involved were drawn from Mauritania and Algerian Tindouf, who joined the Spanish forces in the Spanish Sahara. By the end of February the ALM forces were driven from the Spanish Sahara into Morocco. After the fights of early 1958, the last Rgaybât, about 3000, left the ALM, and surrendered to France. The recuperation and requisition of part of their herds and pastures in Mauritania by the French as part of operation Ecouvillon were probably decisive in their new and temporary choice of allegiance. The heavy bombings of their herds and camps in the Spanish Sahara was another. The most violent phase of the Moroccan aspirations was over, but sporadic violence in the form of assassinations and bomb attempts inspired by the Moroccan secret services, and razzias from southern Morocco effected by Rgaybât, occurred until well into the 1960s.41 The Moroccan claims over Mauritania did not subside until the 1970s, when both countries divided the Spanish Sahara between them, to the detriment of Rgaybât and other Saharan aspirations to independence. With Algerian help, the Rgaybât, Tajakant and Tikna of the Spanish Sahara then organised into the Sahraoui Arab Democratic Republic, with its army the Popular Front for the Liberation of Seguiet El Hamra and Rio d'Oro: POLISARIO, based at Tindouf. The battle over Saharan borders is yet to end.

Concentrating all their efforts on Mauritania and Spanish Sahara, the Moroccans paid much less attention to their claims on Soudan Français and southern Algeria in the 1950s. The Moorish community in Soudan Français however responded vividly on the 'Saharan question', to phrase the conflict in the terminology of those days. In complementary response to the idea of a 'Greater Morocco' Moorish politicians developed the idea of a 'Greater Mauritania', which should include, besides Mauritania, the Moorish inhabited northwestern part of Soudan Français and southern Morocco.42 This idea was based on the history of the 11th century Almoravid Empire, which originated in present-day Mauritania from where it conquered Morocco and parts of Spain. This historical discourse implied that Morocco was part of Mauritania. Thus in the eyes of its advocates, greater Mauritania equalled greater Morocco and should in all cases include the Moorish inhabited parts of Soudan Français. This idea was advocated by the *Nahda al-Wattaniyya al-Mauritaniyya*: the Mauritanian Renaissance Party. The *Nahda* was founded in August 1958 in Atar by members of the *Association de Jeunesse Mauritanienne*who were in favour of the Moroccan claims. The party was presided over by Bouyagi ould Abidine, a Moor with strong connections to Soudan Français. The leader of the

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40 There is some uncertainty about the name of this operation. Guillemin gives Ouragan. De Boiboissel and most other documents state Ecouvillon, while in a few cases the name Ecouvillon-Ouragan is given.

41 Guillemin, "Campagnes militaires."; Dmitri Georges Lavroff, ed. *Introduction à la mauritanie* (Paris: Editions du Centre National de la Recherche Scientifique,1979)., 417; Mokhtar ould Daddah, *La Mauritanie contre vents et marées* (Paris: Karthala, 2003). 210-15.

42 Based on; Affaires politiques, Mauritanie, administration générale 1957. Fiche concernant Bouyagi ould Abidine. ANSOM - 1affpol/2172/2. Under embargo. And Ould Daddah, *La Mauritanie contre vents et marées*. 182.

Nahda was born in 1919 around Timbedgha, a *Cercle* that Soudan Français lost to Mauritania in 1944 as a result of the Nioro du Sahel incident: a religious dispute between the Tijaniyya Hamawiyya Sufi brotherhood, its neighbours, and the French administration that suspected the brotherhood of anti-colonial agitation.43 After this administrative reshuffling, the Moors who stayed behind in Soudan Français, including Bouyagi's family, pleaded that their territory should be included in Mauritania as well.44 After his education at the *Ecole Primaire Supérieure* in Bamako, Bouyagi worked for the Post Service. In 1952 Bouyagi presented himself for the Territorial Assembly elections, but was not elected. From 1955 to 1958 he was stationed in Bamako. There, right in the den of the Soudanese nationalists, he focused most of his activity in favour of Greater Mauritania, culminating in the foundation of the *Nahda* in Mauritania with dissident pro Moroccan AJM members (*supra*). With the creation of the *Nahda* in Mauritania, a Soudanese branch of the party was created with sections around Kayes and Nara. Later, local sections were founded in Timbuktu and Gao as well. With the French-Moroccan war in West Sahara and Mauritania at its height, the *Nahda* under Bouyagi's leadership became more pronouncedly pro-Moroccan, while maintaining the idea of a 'greater Mauritania'. The French and the Soudanese political elite feared that the Moors from Soudan Français would come into contact with the ALM via the *Nahda*. Many observers were apprehensive of a massive Moorish exodus from Soudan Français to Mauritania in those days.

The Soudanese leaders do not seem to have worried as much about the Moroccan claims as they did about the French OCRS project, but they will have been well aware of Moorish support for the Moroccan cause, propagated by Bouyagi's *Nahda*. In return to this threat, the governing US-RDA party laid claim on parts of Mauritania, especially on the *Cercle* Timbedgha, which it had lost to Mauritania in 1944.45 In 1959 problems arose in the *Cercle* when a dispute broke out among the local Moorish political elite about election results. As a consequence, part of them retreated to their pasture areas in Soudan Français, from where they demanded the reintegration of Timbedgha in Soudan Français. Another part of the disgruntled joined with yet another small Mauritanian party: the *Union des Originaires de la Mauritanie du Sud*, which defended the interests of the riverain sedentary population along the Senegal River. These political forces together then created the *Union Nationale Mauritanienne* (UNM), which demanded the integration of Mauritania in the Mali Federation. This should solve the problems of trans-border migrations of the Moorish population of the border area, and assure the position of the sedentary population along the Senegal. Both the UNM and the Moors of Timbedgha were actively supported by the US-RDA, especially in their claims to join the Mali Federation, to the anger of Mokhtar ould Daddah.46 In 1959, Mokhtar ould Daddah managed to unite all Mauritanian political parties into one single party, the *Parti du Peuple Mauritanien*.47 Together with the *Union Nationale Mauritanienne*, the *Nahda* was dissolved its aspirations unfulfilled. The break-up of the Mali federation a year later was greeted with relief in Mauritania, but the border dispute and the Malian threat were not over. From 1960 onwards, Mali actively supported the persisting Moroccan claims on Mauritania. Border incidents promulgated between 1960 and 1961, culminating in the assassination of the administrator of the nomad population in the Mauritanian *Cercle* of Nema, which Mauritania accused to have been plotted by thepro-Moroccan dissident Horma

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43 Alioune Traoré, *Cheikh Hamahoullah: homme de foi et résistant* (Paris: Maisonneuve & Larose, 1983). 194-95.
44 Sahara, Soudan, Mauritanie, administration et maintien de l'ordre - les confins sahariens - rapports politiques 1955-56. ANSOM - 1affpol/2173/1. Under embargo.

45 Ould Daddah, *La Mauritanie contre vents et marées*. 195-211.
46 Ibid.
47 Philipe Marchesin, "Origine et évolution des partis et groupes politiques," *Politique Africaine* 55 (1994).

ould Babana, still in exile in Morocco, with Malian support. Only in February 1963 did Mali and Mauritania sign an agreement on their mutual border.

Conclusion

At particular moments in history the reshaping of borders seems more thinkable. Borders seem more flexible in moments of geopolitical transition when different interests on local, national and international level are played out at the same time, shaping exactly the flexibility needed to reimagine states or nations. In this discursive imaginative flexibility, time, in the form of both history and future, plays an important role. Historical claims are reshaped to fit in prevalent discourses on nation and state. After the Second World War, colonial politics were restructured worldwide. In French West Africa and the Maghreb, this restructuring led to the establishment of a new political elite, political parties and a gradual transfer of power from the French colonial administration to French trained local political and administrative elites. At the same time, as mineral wealth was discovered in the hitherto geopolitically worthless Sahara, various conflicts broke out over attempts to retrace the Saharan borders, which culminated in the French creation of the OCRS in 1957, while that same year the Moroccan Liberation Army invaded the Spanish Sahara and Mauritania to fulfill its aspirations to a 'Greater Morocco'. In the case of 'Greater Morocco', historical claims based on the personal oaths of loyalty of Saharan leaders to the Sultan, which were set in a discourse of lineage (*'assabiyya*) and religion (the Sultan as *'amir al-Mu'minin*, leader of the believers) were reshaped to fit the Moroccan claim to Saharan territory. In the case of the French OCRS, claims to territory (hence borders) were shaped through a discourse on modernity and development. The French would finally uplift the hitherto neglected Saharan populations in order to protect them against more developed neighbours. Both discourses of these local powers were met with partly competing partly fitting political discourses expressing local aspirations to statehood, nationality and independence. In the geo-political Saharan configuration of the late 1950s, the Moors and the Tuareg were at centre-stage as the inhabitants of the Sahara. The inchoate and politically charged decolonisation of the Sahara led to competition over power between old and new political elites in the region and finally to the creation of competing expressions of nationalism. The nascent nationalisms included those of Mauritania, where the political elite was divided over alliance with Morocco or France; and the West Sahara, where local Moorish tribes supported both the Moroccan invasion and the subsequent Spanish and French military *Opération Ecouvillon*. This stimulated a national feeling among West Saharans that would ultimately lead to the creation of POLISARIO. A Malian nationalism was already in the making, but it was certainly strengthened by the political struggle to keep its territorial integrity even before independence was reached. This nascent Malian nationalism was in turn contested by a nascent Tuareg and Moorish nationalism within Mali and Niger, that found expression in support for both the OCRS and the idea of a 'Greater Morocco' or even a 'Greater Mauritania'. The OCRS, clearly an attempt to postpone upcoming African independence, was no match to the international imagination of the future geopolitical shape of the world in those days. As the conflicting national ideas of Mali and the Tuareg and Moors in Mali and Niger was played out within the setting of both the OCRS and 'Greater Morocco' and 'Greater Mauritania', the latter were bound to lose out against the prevalent idea of the day: that the former colonies should gain independence as sovereign states within the borders drawn for them by the colonial powers. The contestation of these borders was formally prohibited by the Organization of African Unity after a number of secession conflicts in the early 1960s, of which the 'Desert War' between Morocco and Algeria in 1963 was only one, but one that made the fluidity of Saharan borders of the late 1950s come to the fore again. The possibility of a Tuareg state was

however not abandoned. The aborted idea of a united Sahara was first expressed anew in the 1970s by Mu'ammar Qadhafi, and taken up again by the Tuareg in Mali and Niger from that moment on, to find final expression in the Tuareg rebellions of the 1990s. Thus, once imagined, borders become a solid reality in politics.

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Namibia's Red Line – South Africa's imperial 'barbarian border'

(paper presented by Giorgio Miescher, Basler Afrika Bibliographien/University of Basel at the ABORNE meeting in Johannesburg, 10-12 September 2009)

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Abstract:

My paper is based on a PhD thesis on the history of the so-called Red Line, the veterinary and settlement border separating northern and central Namibia. The thesis reconstructs the complex process of establishing this border in the period between the 1890s and the 1960s when it eventually materialised as a fence running from east to west. In postcolonial Namibia the fence, which is 1250 kilometres long, constitutes one of the central structural colonial legacies. The history of the Red Line raises several questions with regard to African borders in general, which I would like to address in my paper. First, the example of the Red Line directs our attention to internal African borders and challenges existing border typologies and hierarchies in historiography. In fact, for many decades the Red Line was of much greater relevance than any international border of colonial Namibia. This role was reflected e.g. in colonial jurisdiction which upgraded the status of the inner-Namibian border to a *de iure* international border. Second, the example of the Red Line requires a broadening of the dichotomy between boundary and frontier. Instead the concept of the imperial 'barbarian border' ('Barbarengrenze') proved to be more fruitful for an interpretation of the history of a border which cannot be framed in terms of the closing of a frontier and the establishment of a fixed boundary alone. Third and last, an understanding of the Red Line as an African example of an imperial 'barbarian border' leads to the question of which empire had in fact to be protected against which 'barbarians'. The history of the Red Line is, approached in a regional perspective, the history of South African imperialism.

I Introduction

One of the core legacies of Namibia's colonial history is a huge double-fence (which is over two metres high) that runs from east to west over a length of 1250 kilometres. It physically separates northern and central Namibia. The fence can only be crossed at a few gates and hence allows for a strict control of the movement of animals as well as of people and goods. The Veterinary Cordon Fence, that's how the fence is officially called, is meant to protect central Namibia from contagious animal diseases from northern Namibia and the inner-parts of Africa in general. The fence dates from the 1960s and was erected after the country's farming economy was severely hit by an outbreak of foot-and-mouth disease, which was first prevalent in northern Namibia before occurring in central Namibia, too. However, the construction of the fence in the 1960s was only the culmination of a colonial policy of border

building and cordoning off central from northern Namibia. The construction of the fence meant that an inner-Namibian border, which had emerged over many decades of colonial rule and had led to a spatial and structural division of the colony into two parts, eventually became a visible physical reality. The conceptualisation of colonial Namibia into spatially separated territories goes back to the German rule and was later taken over and developed further by the South African colonial power. The division implied differences with regard to the administration as well as to the legal and economic order. Basically the colony was spatially and structurally divided into a so-called police zone, comprising central and southern Namibia, which was dominated by the settler society, and the territories beyond this zone in the north, where only Africans lived. The border between these two entities was officially called police zone boundary but also became known as the Red Line, as it was marked with red colour on most of the maps since the 1920s and with the years the two terms became almost synonyms. The course of this inner-Namibian border preceding the fence was changed many times and is only partly identical with the today fence, which nevertheless colloquially is still known as the "Red Line".

In Namibian historiography the Red Line's relevance as a core structural characteristic for an understanding of the country's colonial history is undisputed and almost taken for granted. This historiographical self-evidence stands in a sharp contrast to the surprisingly little knowledge about the history of this inner-Namibian border. A gap I tried to fill with a detailed reconstruction of the establishment of this border from its beginnings in the late 19th century until its transformation into the said fence as a throughout physical materialisation in the landscape in the 1960s.[1] My study is basically a reconstruction of over 60 years of Namibian history from the perspective of a border, which I conceive as a physical territorial veterinary and settlement border without ignoring its further symbolic or metaphysical importance. In this paper I will, firstly, give an overview of the establishment of the internal border, the various stages of the border building process and the various and sometimes conflicting roles the border had in shaping the colony. Eventually I will explore how the example of the Red Line allows a broadening of the frontier-boundary dichotomy, by introducing the concept of the imperial border 'barbarian border' or "Barbarengrenze" borrowed from European historiography.

II The establishment of an internal border in Namibia (1890s-1920s)

The invention of a veterinary border: the Rinderpest Defence Line of 1896/97

The origin of the inner-Namibian border which became known as the Red Line goes back to the late 19th century. In the mid 1890s the southern African subcontinent was threatened by the Rinderpest, which had spread from Eastern Africa southwards.[2] In 1896 the German colonial power tried to protect its colony from the advancing Rinderpest by establishing a military defence line.[3] The aim was to control and if necessary to hinder any movement of game, stock, and people. The course of such a line, which was conceptualised ideally as a regularly patrolled fence – but in fact consisted of a chain of police posts – was determined by several factors: the effective territorial extent (or the limits) of the colonial power, the topographic conditions on the ground (like waterholes, springs, etc), and the existing networks of roads and paths. Imperial Germany was not in control of the whole territory claimed as colony and its rule (based on military alliances with local African leaders) was limited to the central and southern parts of the country. Therefore the defence line was not established along the international borders but in the sparsely populated area between central and northern Namibia constituting the edge of the colonial power. At carefully selected strategic points (with regard to topographic conditions and to the road network) the German military and their local auxiliaries put up a chain of provisional posts which were connected by regular patrols.[4] North of the imagined defence line, a 20 miles wide stretch was declared a neutral zone to be kept free of people, stock and game.[5]

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[1] Giorgio Miescher, "Die Rote Linie. Die Geschichte der Veterinär- und Siedlungsgrenze in Namibia (1890er bis 1969er Jahre)", unpublished PhD-thesis, University of Basel, March 2009

[2] Various authors discussed the late 19th century Rinderpest epizootic in Southern Africa; i.e. Charles van Onselen, "Reactions to Rinderpest in Southern Africa 1896-97", *Journal of African History*, XIII, 3 (1972), pp. 473-488; Pule Phoofolo, "Epidemics and Revolutions: The Rinderpest Epidemic in Late Nineteenth Century southern Africa", *Past and Present*, 138 (1992), pp. 112-143; Maurice K.K. Mutowo, "Animal Diseases and Human Populations in Colonial Zimbabwe: The Rinderpest Epidemic of 1896-1898", *Zambezia* (2001), XXVIII (1), pp. 1-22; Daniel Gilfoyle, "Veterinary Research and the African Rinderpest Epizootic: the Cape Colony, 1896-1898", *Journal of Southern African Studies*, 29 (1), 2003, pp. 133-154.

[3] The establishment of this defence line is discussed in depth in Miescher, op. cit., 2009, pp. 37-49.

[4] See map No. 1, ibid., p. 46f.

[5] See e.g. "Instruktionen für die Station Okaukuejo", 21. Nov. 1896 by Hauptmann Kaiser. (NAN-ZBU-2385-V III vol 3) See also: "Die Verordnung betreffend Massregeln zur Verhütung der Einschleppung der Rinderpest gez. der Kaiserliche Landeshauptmann Leutwein, Windhoek 22. Juni 1896" and "Zusatzverordnung vom 30. September 1896". (NAN-ZBU-1311-O III c 1 vol 1)

In the short run the defence line was a failure, as the Rinderpest reached the colony and led to dramatic losses in cattle.[6] Nevertheless, the Rinderpest defence line of 1896/97 marked the emergence of the concept of an inner-Namibian border to protect the Namibian heartland from dangers coming from inside the continent, and the Rinderpest defence line defined *in situ* and not in remote offices, remained relevant.

The invention of a settlement border – the police zone boundary of 1907

The definition of what the Namibian heartland was (and for whom) became more accentuated a few years later. After the dramatic experience of the costly war starting in 1904 the German colonial power decided to concentrate its energy on those parts of the colony that were of economic importance.[7] A map drawn in Berlin was sent to Windhoek in 1907. A thick blue line on the map marked the boundary of the territory which was perceived to be of importance and where European settlement should be concentrated.[8] Yet, the blue line was not understood as a closed border but rather as a strong recommendation of the territorial limits of European settlements for which police protection could be guaranteed. The territory inside the blue boundary, therefore, was called the police zone and accordingly the boundary itself the police zone boundary. In the north and north-east the course of the police zone boundary partly followed the former Rinderpest defence line. In other regions the boundary was mainly defined in Berlin without considering the situation on the ground.

In the remaining years in power the German imperial government invested considerable resources to transform its south-western African territory into a profit-making settler colony.[9] Although investments in the modernisation of the farming sector (unlike investments into the mining sector) were often rather ideologically-driven than economically-driven, they nevertheless led, for instance, to a far-reaching modernisation of stock farming and especially to the establishment of a fairly sophisticated veterinary service in the colonial heartland, i.e. inside the police zone.[10] It is obvious that the genocide of 1904 conditioned in many ways

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[6] I.a.: Theodor Leutwein, "Elf Jahre Gouverneur in Deutsch-Südwestafrika", Berlin 1908 [Faksimile reprint Windhoek 1997], pp. 126-127; Paul Rohrbach, "Deutsche Kolonialwirtschaft. Band 1: Südwestafrika", Berlin-Schöneberg, 1907, pp. 273-275.

[7] See resolution by the German Reichstag accepted on the 15. December 1905. (NAN-ZBU-L II A 5 vol 1)

[8] See Miescher, op. cit., 2009, pp. 84-92 which also includes a reproduction of the map of 1907 (p. 84f).

[9] A good overview gives Udo Kaulich, "Die Geschichte der ehemaligen Kolonie Deutsch-Südwestafrika (1884-1914) – Eine Gesamtdarstellung", Frankfurt a. M. 2001.

[10] On the veterinary service under German rule after 1905 see besides Miescher (2009, pp. 110-115), i.a. W. Rickmann, "Tierzucht und Tierkrankheit in Deutsch-Südwestafrika", Berlin, 1908; "Bericht des Geheimen Regierungsrates Professor Dr. Ostertag über die von ihm nach Deutsch-Südwestafrika aufgeführte Reise.",

such a transformation of central Namibia into a settler colony. The physical presence of Germans highly increased due to the war and laid the demographic foundation of a settler society, on the one hand, and on the other hand and even more importantly, the massive and collective expropriation of land and stock of the African population inside the police zone created almost ideal conditions for the establishment of a purely European settler society based on African labour.[11]

Besides capital and knowledge, an economic viable settler society was in constant need of sufficient and cheap labour, which, despite the expropriation of Africans, could not be found in sufficient numbers inside the police zone alone. The majority of the African population lived in the relatively dense populated Owambo regions in the far north – once seen as the pre-colonial economic power-house of south-western Africa. The region was perceived to be the main reservoir of labour for the settler colony, but the responsible colonial officials were reluctant to conquer this part of territory militarily and opted instead for a policy of economic isolation towards Owambo to ensure the regular influx of labourers.[12] The police posts which emerged out of the old Rinderpest defence line played an important role to control the traffic of people, animals and goods between central and northern Namibia. This control regime included, furthermore, a territorial order developed alongside the concept of the police zone, and it included a series of no-go areas such as game reserves in northern Namibia.[13]

In short, both internal borders invented by the German colonial power, the veterinary border of 1896/97 and the police zone boundary of 1907, resulted from colonial power not being capable to control the whole territory claimed as a colony. Military and economic reasons forced the colonial state to establish internal borders, which at least partly had the status and the function of international borders.[14] The existence of such internal borders was –

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unpublished report, Berlin, 7. March 1911 (NAN-ZBU-1287-OI b3 vol 1); Herbert Schneider, "Analyse der Tiergesundheitssituation in Südwestafrika/Namibia – Vergangenheit und Gegenwart", Giessen, 1977.

[11] See i.a. Wolfgang Werner, "'No one will become rich'. Economy and Society in the Herero Reserves in Namibia, 1915-1946", Basel, 1998, pp. 47-48 and in general Jürgen Zimmerer, "Deutsche Herrschaft über Afrikaner. Staatlicher Machtanspruch und Wirklichkeit im kolonialen Namibia", Hamburg, 2001.

[12] See i.a. Martti Eirola, "The Ovambogefahr. The Ovamboland Reservation in the Making. Political Responses of the Kingdom of Ondonga to the German Colonial Power 1884-1910", Rovaniemi, 1992; Regina Strassegger, "Die Wanderarbeit der Ovambo während der deutschen Kolonialbesetzung Namibias. Unter besonderer Berücksichtigung der Wanderarbeiter auf den Diamantenfeldern in den Jahren 1908 bis 1914", unpublished PhD, University of Graz, 1988.

[13] No-go areas for European settlers in northern Namibia were a) two Game Reserves declared in 1907, namely Game Reserve 1 in the north-east and Game Reserve 2 in the north (including the Ethosha Pan and northern Kaoko) and b) the so-called "Ovamboland" closed already in 1906. See Miescher, op. cit., 2009, pp. 93-105.

[14] The Rinderpest defence line of 1896/97 was treated by the German officials as an international border (Lindequist to the Reichskanzler, no place, no date [most possibly Grootfontein, 1897]; NAN-ZBU-2385-V III 5

particularly in regard of the police zone boundary, only communicated hesitantly. The map of 1907, for instance, was only printed in limited numbers and explicitly not meant for public circulation. Generally speaking, the German police zone boundary was merely perceived as a temporary necessity and not as a permanent border. In addition the German police zone boundary was always a permeable border. Its course was never verbally defined as a law and the police zone boundary remained a rather general guideline for colonial administration and settlement than an everyday reality in people's life. The police zone boundary had almost no physical existence, except through a few police stations situated along this boundary. This was especially the case in the central north, where the police zone boundary formed the *de facto* outside border of the realm of colonial power. Here the police zone boundary also functioned as a permeable veterinary border, although it was closed temporarily.[15]

Merging and closing the veterinary and settlement borders under South African rule

After South Africa defeated and replaced imperial Germany in 1915 the new colonial power took over both the concept of restricting the territory of the settler society and the concept of a veterinary border. At first, in 1916, the South African military government closed the whole northern part of the colony for Europeans.[16] The limit to European movement was defined by the northern part of the old German police zone boundary, whereas the other parts of the police boundary (i.e. the eastern, southern and western parts) became obsolete. By doing so, the authorities aimed at preventing military alliances between dispersed German troops and Africans in far north, an area which remained unconquered.[17] Although South Africa extended its military control up to the northern international border in 1917, the closing of the northern areas for Europeans was again enforced in 1919, as was the proclamation of police zone boundary of 1916.[18] Yet, this inner Namibian border was barely controlled as most of the former German police stations remained abandoned or hardly occupied after South Africa's military subjection of the northern territories.[19]

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vol 3); the police posts along the northern police zone boundary, as for instance Okaukuejo and Namutoni, had the function of *de facto* border posts.

[15] The northern police zone boundary was closed for the import of cattle from Owambo and Kavango between June 1911 and November 1914 whereas the import from Kaoko remained possible. (Miescher, op. cit., 2009, pp. 127-130)

[16] Martial Law Regulation No. 57 (See A.J. Waters (ed.), "Martial Law in the Protectorate of South West Africa During Military Occupation by the Forces of the Union of South Africa (as in force on the 1st July 1918)", Swakopmund, 1918.)

[17] Annual Report of the Administrator of South West Africa for the year 1916, pp. 6-7 (NAN-ADM-106-3370)

[18] Prohibited Areas Proclamation of the 2nd September (Martial Law Proclamation 15)

From the beginning, the new colonial power was preoccupied with the question of whether and where to establish a veterinary border in Namibia. After outbreaks of lungsickness, a highly contagious cattle disease, in central Namibia, the international border to South Africa was closed for all living animals in 1915.[20] Later imports of stock to South Africa were permitted again but only from areas south of the 22nd latitude, an imagined line north of Windhoek.[21] In consequence, huge areas of settler farming lying north of the said latitude but south of the police zone boundary were perceived as buffer zones and cut off from a direct access to the important South African market. It was only in the mid 1920s, when the settlers in the northern districts threatened to leave the area that the veterinary border was finally merged with the police zone boundary.[22] In 1924 the embargo for the northern parts of the police zone was finally lifted,[23] whereas the police zone boundary was closed for all cattle transport. The combined border was marked with red colour on maps and was, therefore, soon named the Red Line.[24] It was only after the border was cartographically defined on maps that it was also verbally formulated as part of the "Prohibited Areas Proclamation" of 1928.[25]

The Red Line as the border of the South African settler colony

Conceptually the Red Line stood for the segregation of the so-called police zone or "South West Africa proper" in central and southern Namibia from the "Northern Native Territories". Unlike its German predecessor South Africa did have the necessary means to conquer the entire territory, but nevertheless stuck to the German conception of a territorially segregated colony. A combination of reasons can be mentioned to explain the conceptual continuity. From a South African perspective the newly occupied territory was basically a welcome extension to the north, offering rich mineral resources and space to settle for the country's land-hungry 'white' underclass. In other words, Namibia was no longer a self-contained entity governed from a remote European metropole, i.e. Berlin, for which the overseas colony had a

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[19] For a detailed discussion see Miescher, op. cit., 2009, pp. 139ff.

[20] Werner, op. cit., 1998, pp. 64-65

[21] The reason was that the veterinarians in Windhoek could only guarantee the non-existence of lungsickness for the areas south of this latitude. (Telegrams Veterinary Pretoria to Veterinary Windhoek, 30.5.1917 and Lt. Col. Lee to Veterinary Pretoria, 16.1917; NAN-ADM-60-993/6) – See also Miescher op. cit., 2009, pp. 174ff.

[22] On the 28.8.1922, 31 farmers from the Outjo district signed an ultimatum towards the administrator in Windhoek. (NAN- SWAA-2238-A502/8)

[23] Government Notice No. 94 of 1924

[24] For the first time the police zone boundary was marked with red colour on a series of map sheets (scale 1:500'000) published in 1925. A year later an overview map of the whole colony (scale 1:800'000) was published on which the police zone boundary was marked with red colour, too. (For the latter see map 4, Miescher, op. cit., 2009, p. 182f.)

[25] Proclamation No. 26 of 1928

high symbolic and ideological value not to be measured in financial terms alone. The shift in status from the German Empire's only settler colony to the hinterland of South Africa became relevant. The new colonial power, for instance, was reluctant to invest in the colony, which it tried to administrate with a minimum of costs.[26] Therefore, in many ways South African rule built on the existing structural conditions which were defined or at least initiated under German rule. The remaining Germans in the colony were often in a condition to argue for the new authorities taking over previously existing concepts.[27]

South Africa's sticking to the concept of a segregated colony lead to a tightened and manifold isolation of the areas outside the police zone, namely the "Northern Native Territories", which were mainly perceived as source of labour force to govern at the less possible costs. At the same time, inside "South West Africa proper", the South African administration continued the German policy of establishing a settler society. Land was distributed at favourable conditions to so-called "poor-whites", who entered Namibia in great numbers from South Africa from the late 1910s onwards.[28] The establishment of such a settler society and the transformation of "South West Africa proper" according to the settler society's needs was a long process that took decades. This was not least due to a significant re-pastorialisation of Africans that had paralleled the German defeat and had resulted in the emergence of new African settlements all over the police zone.[29] South Africa reacted with a policy of segregation, first formulated in 1921, aiming to push African settlements into reserves at the edges of settler Namibia, i.e. the police zone, or beyond its borders.[30] African resistance in combination with a structural weakness of the colonial state severely slowed down the realisation of this policy in the short run, but it could not hinder it in the long run. Despite a general consolidation of the colonial state starting in the late 1920s the control over African settlements in the police zone remained limited. Especially in the northern parts of the police zone, where South African

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[26] See i.a. Jeremy Silvester, Marion Wallace, Patricia Hayes, "Trees Never Meet' Mobility & Containment: An Overview, 1915-1946', in Patricia Hayes, Jeremy Silvester, Marion Wallace, Wolfram Hartmann, "Namibia under South African Rule: Mobility & Containment 1915-1946", Oxford, 1998, pp. 3-48.

[27] E.g. German farmers and a veterinary officer, who already served under German rule, played a crucial role in defining the police zone boundary as a veterinary border. (For a detailed discussion see Miescher, op. cit., 2009, pp. 176-180.)

[28] See i.a. Christo Botha, "The politics of Land Settlement in Namibia, 1890-1960", *South African Historical Journal 42* (May 2000), pp. 232-276.

[29] See i.a. Werner, op. cit., 1998, pp. 56-57; Jeremy Silvester, 'Beast, Boundaries and Buildings. The Survival and Creation of Pastoral Economies in Southern Namibia', in Hayes et al, op. cit., 1998, pp. 95-116 (98-101); Jan-Bart Gewald, 'Colonization, genocide and resurgence: The Herero of Namibia 1890-1933.', in: Michael Bollig and Jan-Bart Gewald (eds.): "People, Cattle and Land. Transformations of a Pastoral Society in Southwestern Africa", Köln 2000, pp. 187-226 (p. 213).

[30] Report of Native Reserves Commission, 8.6.1921 (NAN-SWAA-1121-A158/4)

settlers arrived last, the thin density of settler population and their economic weakness left options for an African population to defy colonial control at least up to the late 1930s.[31]

It was only after World War II that South Africa succeeded to come close to the aspired segregated order inside the police zone, with African presence in the heartland only tolerated in form of dependent work on farms, in mines or in the domestic sphere; but economically independent entrepreneurs were not accepted. Following the recommendations of the so-called Lardner-Burke Commission in 1947 the South African government started a policy of massive land allocation to 'white' settlers in combination with substantial investments into the European farming sector.[32] In consequence, the number of European farms almost doubled in the following years until it reached its peak in the early 1960s.[33] The increase of farms resulted from an increased density of farms inside the police zone on the one hand, and on the other hand, from an enlargement of the police zone through shifting the Red Line northwards. The options for Africans to dodge colonial control by moving to the edges of the European farming area drastically diminished and finally disappeared in the course of the spatial expansion of the European settler society with, farms being surveyed even in ecological less favourable regions.

III The realities of the Namibia's inner-border (1920s - 1960s)

The distinct cartographic representations of the inner-Namibian border contrasted with its physical existence on the ground. At the end of the 1920s the border was not marked and only consisted of a few small police posts placed at the important north-south roads. Such a minimal police presence was originally seen to be sufficient to control the movement of stock and people. This was due to the false perception in Windhoek and South Africa that the region immediately beyond the Red Line was a natural stock free area and as such would form a natural, 100 kilometres wide barrier. Although there were stretches of land with almost no permanent water, which were hardly inhabited, such as the Etosha pan or the Kalahari desert,

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[31] Miescher, op. cit., 2009, pp. 246-247

[32] See the two reports of the commission: "First Report of the General Rehabilitation Enquiry Commission Relating into the Desirability or otherwise of the Moving of the Police Zone Boundary and Relating Matter thereto", Windhoek, March 1946 (unpublished) and "Second and Final Report of the General Rehabilitation Commission", 25.11.1947. (NAN-KGR-1-UAO9 v1) – The work of the Lardner-Burke commissioned is for the first time discussed in Miescher, op. cit., 2008, pp. 268-290.

[33] In 1946, the Lardner-Burke commission counted 3720 farms. In 1963 the so-called Odendaal-Kommission counted a total of 6821 farms. (Miescher, op. cit., 2008, p. 283)

there was no continuous, uninterrupted 'thirst belt' adjoining the Red Line. The establishment of the Red Line as a border on the ground and of an effectively supervised stock free zone took decades. As the inner-Namibian border could not be fenced in due to the vastness of the country and the limited resources available, the enforcement of a stock free zone was seen as the only option to keep the herds of the 'Northern Natives Territories' and South West Africa proper separated.

In 1930 a stock free zone was proclaimed for the first time in the northwest, i.e. in southern Kaoko, and in the following years it was subsequently expanded.[34] The enforcement of the stock free zone demanded a constant turning on the screw of repression including fines, the shooting of stock, forced removals, imprisonment and forced labour. Being in constant fear of potential diseases coming from the interior parts of Africa, the veterinary officers of the colony were always at the forefront to advocate and push forward the instalment of what I call "the Red Line system". But it was not before the end of World War II that this spatial separation of Namibia was finally done. Since 1948 the border system included a border line (the Red Line) with an adjoining border zone, in which no stock was allowed. The stock-free buffer-zone was 30 to 100 kilometres wide and was partly identical with the northern game reserves, most prominently what is today the Etosha National Park.[35]

The Game Reserve, i.e. the area around the Etosha pan, was a core element of the buffer-zone, as the main roads linking central and northern Namibia passed through it. Here the colonial authorities' control relied heavily on the support of the so-called "bushmen", which, because they were said to own no livestock, were the only 'group' of Africans being allowed to live legally inside the Game Reserve around the pan. It was only in the 1950s, when the colonial power felt strong enough to control the area with regular police force alone, that the 'bushmen' were removed out of the Game Reserve and the stock free zone virtually became a 'people free zone'.[36]

As said above the veterinary officers of the colony were the driving force behind a strict control of the border in order to maintain a strict segregation between stock north and south of the Red Line. To export to South Africa was absolutely vital for the prosperity of Namibia's

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[34] Government Notice 178 of 1930, Government Notice 37 and 143 of 1935, Government Notice 84 of 1941.
[35] The stock free zone is visualised on map 6 (Miescher, op. cit., 2008, p. 278f) based on a sketch map produced in c. 1947 (NAN-SWAA-21-A3/61 v1)
[36] See the chapter "Das Etosha Game Reserve als Teil der 'Stock Free Zone'" (Miescher, op. cit., 2008, pp. 308-325) where I discuss in detail the transformation of the 'stock free zone' into a 'people free zone'.

farming sector, one of the back-bones of the colony's economy.[37] Accordingly the occurrence of contagious diseases would have been disastrous and necessarily leading to an immediate closing of the South African border. The control of animal diseases was therefore one of the major concerns of every colonial administration, be it the German or the South African one, and the implementation of a policy against animal diseases was a central part of the modernisation process aiming towards the emergence of a successful and economically viable settler society.[38]

The strategy of the veterinarians to cope with contagious diseases consisted in identifying outbreaks of diseases as soon as possible, of a centralised compulsory registration of outbreaks of specific diseases, and of a policy of isolating infected animals or herds in order to prevent any contacts between sick and healthy animals. In addition the vets sought to prevent outbreaks of diseases by thorough vaccinations against certain types of contagious diseases. There were by far not enough veterinary officers to control the huge number of stock scattered all over the vast country. An effective control was only possible due to a policy that I call the "veterinarianisation of the police". In fact the control of stock became an integral part of police work.[39] The regular police patrol not only checked people, but their animals as well. Every single policeman had to pass a test which made him an official veterinary assistant capable of recognising animal diseases and if necessary of acting on behalf of a government veterinary officer. In addition, to make control manageable, the veterinarians made no distinction between 'African' and 'European' stock. The boundary between 'potentially healthy' and 'potentially sick' was drawn elsewhere, namely at the Red Line. The development of functioning veterinary services inside the police zone sharply contrasted with the veterinarian inactivity outside.[40]

The veterinary border regime at the Red Line got more and more severe. First, the movement of cattle was targeted. In 1924 not only the import into the police zone was forbidden but as

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[37] After the decline of the mining industry in the course of the world economic crisis, the farming industry even became the most important economic sector for over two decades (until the early 1950s).

[38] Such a policy consisted of a set of laws dealing with animal diseases, the establishment of a veterinary service, and an educational programme to teach the farmers the ability to recognise and to handle animal diseases properly.

[39] 1922 all police officer became 'sheep inspectors' and were subordinated to the head of the veterinary service, too. (Principal Sheep Inspector to all Government Veterinary Officers, 1.2.1922; NAN-ADM-32-277/8) All police officers had to pass a written exam in order to fulfil their duties as sheep inspectors. (Principal Sheep Inspector to Post Commander SWA Police Outjo, 25.10.1922; NAN-AGV-174-V.S. 1/2)

[40] In 1938/39 the veterinary department made for the first time a large-scale effort to operate outside the police zone boundary in order to inoculate all cattle against lungsickness. The campaign was a big failure and rather spread than contained the disease.

well as any export of cattle to the north.[41] In the 1930s the border traffic of small stock got more and more difficult until it was finally forbidden. And lastly, the considerable traffic of equines (i.e. horses, donkeys and mules) was severely restricted and became partly illegal.[42] Animal disease control also affected the traffic of all sorts of animal and plant goods. For example during outbreaks of the foot-and-mouth disease the border was completely closed for that kind of products, such as skins and crops[43]. But we still have to keep in mind, that, despite the dominance of the veterinary discourse for closing the inner-Namibian border, the border practice was also, be it directly or indirectly, influenced by the general colonial policy of isolating the northern parts of the colony and to keep them as 'underdeveloped' as possible.

The paradox of the border

Ideally the veterinarians would have preferred to close the Red Line completely and for any form of traffic, in order to keep any threats out of the colonial heartland. But the colonial economy essentially depended on the work force of people living outside the Red Line. Traffic over the Red Line was a basic necessity for a prosperous colony. Border traffic was even aggravated as the labourers from the north could only temporarily stay in the police zone due to the contract labour system, which implied a *de iure* segregation of the African population through the Red Line in so-called 'police zone natives' and 'natives outside the police zone'.[44] The colonial officials coped with the paradox of closure and openness of the inner-Namibian border by successively channelling and regulating the human border traffic. The self-organised border crossing of labour migrants in the 1920s was gradually replaced by compulsory systems of recruiting and transport, which left almost no space for individual

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[41] Up to 1924 cattle was regularly brought from inside the police zone to northern Namibia.

[42] With regard to the traffic of small-stock, horses, mules and donkeys see Miescher, op. cit., 2009, pp. 254-258.

[43] The first outbreak of foot-and-mouth disease occurred in the Namibian colonial heartland in September 1934 and seriously affected the country's farming economy. Outbreaks in the 1940s and 1950s were limited to areas outside the police zone, i.e. Owambo and Kavango. See for detailed information Schneider, op. cit., 1977.

[44] Proclamation 29 of 1935 and Government Notice 180 of 1935 formed the legal base for the introduction of a pass system and a register for "northern and extra-territorial native" staying inside the police zone.

travels in the 1950s.[45] However, from the beginning the Red Line served both aims, the control of movement of people *and* stock.[46]

The veterinary dogma of keeping the threats of inner-Africa as far away as possible and of keeping the distance between herds inside and outside the police zone as big as possible contrasted with the European farming community's expansionist tendency. The latter and their lobby continuously argued for an extension of the police zone. Especially in cases of droughts farmers crossed the Red Line in search of better grazing and sometimes the veterinarians had no other choice than simply to legalise these transgressions *ex post* by issuing temporary permits or even by shifting the Red Line.[47] In any case, European owned stock hardly ever having been destroyed due to illegal border transgressions, whereas such destructions happened to African stock owners on several occasions.[48] Although illegal traffic over the Red Line could not be stopped, the colonial authorities were at least successful in so far, as the transmission of contagious animal diseases from the 'Northern Natives Territories' to 'South West Africa proper' could be almost fully brought to an end in the 1920s.[49]

In the early 1960s an outbreak of foot-and-mouth disease in central Namibia caused dramatic losses amongst farmers.[50] This was a dramatic challenge to the presumed security of the colony's heartland, and it was eventually countered by the complete fencing in of the Red Line. A system of double fences with a patrol path in-between was erected to ensure an absolute control of movement of stock over the border.[51] In addition, the inner-Namibian

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[45] On contract labour see, for instance, Robert Gordon, "Variations in migration rates: The Ovambo Case", *Journal of Southern African Affairs 3, 3*, 1978, pp. 261-294; Richard Moorsom, "Underdevelopment and Labour Migration: The Contract Labour System in Namibia", Windhoek, 1995; Allan D. Cooper, "The institutionalization of Contract Labour in Namibia", Journal of Southern African Studies, Vol. 25, No. 1, March 1999, pp. 121-138. – A detailed the discussion on the changing patterns and experiences of crossing the police zone boundary under South African rule is given in Miescher, op. cit., 2009, pp. 346-361 (chapter: 'Vom Fussmarsch zur Busfahrt – Grenzerfahrungen Reisender aus dem Norden').

[46] See for example the instructions for the police post at Namutoni finally reopened in 1927. (Secretary for South West Africa to Divisional Inspector of Police, 15.3.1927; NAN-SWAA-941-A.82/50)

[47] Between 1928 and 1962 the Red Line was shifted fifteen times. (See chronology of the police zone boundary in Miescher, op. cit., 2009, pp. 379-382)

[48] The numerically most dramatic shooting of African owned stock happened in northern Kaoko in 1941, when 541 head of cattle were killed due to illegal border crossing. (Secretary for South West Africa to Secretary to the Prime Minister, Cape Town, 29.4.1941 and Native Commissioner Hahn to Secretary for South West Africa, 28. 4.1941; NAN-SWAA-2173-A470/27 vol 3) Many other cases involving smaller numbers of African stock are documented in the files of the veterinary department in the National Archives of Namibia.

[49] For instance there was not a single case of lungsickness inside the police zone since then. The most dramatic event was an outbreak of foot-and-mouth disease in 1933/34. But as the disease was supposed to be introduced from the east, i.e. the neighbouring country Botswana, the northern border of the police zone was not questioned.

[50] Schneider, op. cit., 1977, pp. 115-127

[51] South West Africa, "Report Commission of Enquiry into Stock Disease Control Measures in Regard to Border Areas in South West Africa"; Windhoek, 1965 (unpublished)

border again received the legal status of an international border, at least with regard to disease control.[52] The fencing in of the inner-Namibian border marked the end of a long process of border building and segregation and a new level of border control; in its aftermath illegal border crossing became almost impossible.[53]

IV The Red Line as imperial 'barbarian border' (Barbarengrenze) against inner Africa

How can we position the Red Line in a broader debate on borders and especially on borders in Africa?[54] The term 'border' experienced a growing popularity during the last years and 'border studies' have become almost a discipline in its own right. Therein 'borders' are not only understood as territorial limitations but more generally as physical and mental delimitations or boundaries of real and imagined communities.[55] Without ignoring the relevance of the metaphysical or symbolic role of the Red Line, in my work I first concentrated on the reconstruction of the Red Line as a physical, territorial and spatial border.[56] In what follows, I will use the Namibian case study to explore and investigate it's relevance within Southern African historiography on borders, and in a similar vein then look at European border historiography.

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[52] The police zone boundary got officially the legal status of an international border. (See Ordinance No. 14 of 1958 and Ordinance No. 34 of 1959.)

[53] For many Namibians living north of the Red Line the inner-Namibian border only became a reality with the constructing of the fence. This was at least what I learnt in many interviews done in Namibia in 2001/2002. (E.g. interview with August Kasaona, Otjindagwe (Sesfontein), 20.12.2001.)

[54] My thinking was very much inspired through three international workshops, which were organised in changing combinations by the University of Basel, the Basler Afrika Bibliographien, the University of the Western Cape and the University of Zürich: "Blurred Frontiers – New Perspectives on Southern Africa and its Border Sites" (University of Basel, 14. December 2004), "Borders of Empire – Workshop on Border Issues in Southern Africa" (University of the Western Cape, 21.10.2005), "The Namibian-Angolan Border: new issues and theoretical insights" (Basler Afrika Bibliographien, 16.-17. December 2005) – My thank goes to all those people with whom I co-organised the workshops (namely Gregor Dobler, Patrick Harries, Patricia Hayes, Dag Henrichsen, Lorena Rizzo, Peter Vale und Leslie Witz) as well as to those who made as speakers and as participants the workshops a success.

[55] Jürgen Osterhammel concisely described the emerging fascination with borders as follows: "Die Vorstellung von 'Grenzen' – mit dem semantischen Feld Begrenzung, Entgrenzung, Grenzüberschreitung – gehört zu den schillerndsten Metaphern-Konzepten in den heutigen Sozial- und Kulturwissenschaften, zugleich zu denen, von welchen man sich neuerdings Orientierungen in der Gegenwart zu erhoffen scheint." (Jürgen Osterhammel, "Kulturelle Grenzen in der Expansion Europas.", *Saeculum* 46 (1995), pp. 101-138, here p. 108) – 15 years later the fascination is still alive and, for instance, "Borders" are the main topic of the second "Swiss History Days" in 2010. – For an overview of the history of border studies see e.g.: Vladimir Kolossov, "Theorizing Borders. Border Studies: Changing Perspectives and Theoretical Approaches.", *Geopolitics*, 10, 2005, pp. 606-632.

[56] The approach chosen for my work, i.e. to put the spatial dimension of a border in the centre, corresponds with the approach recently formulated by representatives of border studies worrying about the fading quality in the field. (See the short unpublished position paper by Karen Hagemann, Stefan Berger, Sharif Gemie, Chris

Frontier and Boundary

Two conflicting as well as complementing concepts of borders play a major role in South African historiography: The "frontier" as a remote settlement border ['staatsferne Siedlungsgrenze'] and the "boundary" as a linear territorial border.[57]

The concept of the frontier was first developed by Frederick Turner for North America in the late 19th century. The frontier after Turner describes a historical process, in which an advancing settlement border ['Erschliessungsgrenze'] is slowly closed down through the consolidation of the settler society and the state and finally transformed into a clearly defined linear border, i.e. the boundary or territorial border.[58] The concept of the frontier became a strong metaphor of the European expansion and was adopted by many settler society's historiographies including the South Africa one.[59] Whereas Turner's focus was limited to the settler perspective the more recent South African historiography raised questions concerning the interactions between the advancing settler society and the local people in a contact zone far away from the centres of the colonial power. Based on the path-braking work of Martin Legassick the frontier was not any longer understood as the "meeting-point between savagery and civilization"[60] but rather as a zone where processes of mutual negotiations and balances, where fading and mingling identities between colonisers and colonised took place.[61] In addition the concept of the frontier was disconnected from the European settler society and applied to pre-colonial African expansion and migration.[62] Reduced to its spatial dimension the frontier has to be understood as a border zone with unclear and changing boundaries.

The counter-piece to the frontier constitutes the linear border, the boundary, ideally represented in the modern nation-state's territorial border. In other words, a border situated as

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Williams: "Creating and Crossing Borders: The State, Future and Quality of Border Studies", Centre for Border Studies, University of Glamorgan, January 2004)

[57] Christoph Marx, "Grenzfälle. Zur Geschichte und Potential des Frontierbegriffs.", *Saeculum* 54/I (2003), pp. 123-143, here p. 1

[58] Ibid, S. 127 – Marx refers to the work of Hermann Giliomee ('Processes in Development of the Southern African Frontier', in: Leonard M. Thompson, Howard Lamar (Eds.), "The Frontier in History. North America and South Africa compared", New Haven/London, 1981, pp. 76-119.

[59] Osterhammel, op. cit., 1995, p. 113

[60] F. J. Turner, 'The Significance of the Frontier in American History', in Turner "Early Writings", pp. 187-188, quoted after Martin Chatfield Legassick, "The Griqua, the Sotho-Tswana and the Missionaries, 1780-1840: The Policies of a Frontier Zone.", unpublished PhD, University of California, Los Angeles, 1969, p. 7.

[61] See Legassick, op. cit., introduction (pp. 1-30); and also Martin Legassick, 'The Frontier Tradition in South African Historiography', in: Shula Marks, Anthony Atmore (Eds.), "Economy and Society in Pre-Industrial South Africa.", London, 1980, pp. 44-79. – The much less known PhD of Legassick, submitted in 1969, will finally be published by the Basler Afrika Bilbiographien in 2010.

[62] See e.g. Igor Kopytoff, "The African Frontier. The Making of African Political Culture.", in: Igor Kopytoff (ed.), "The African Frontier. The Reproduction of Traditional African Societies", Bloomington, 1987. See with regard to "the frontier beyond colonial history" also Marx, op. cit., 2003, pp. 129ff.

"demarcation line between two in principal similar organised political entities"[63] which the line accurately to a meter divides. Albeit their dichotomous relation to the frontier such territorial borders are generally *the* result of long historical processes not least in an African context.[64]

The history of the Red Line comprises elements of a frontier as well as of a territorial border. In principal the two concepts can be assigned to two different meanings of the inner-Namibian border, existing alongside each other.

As a settlement border the Red Line or police zone boundary defined the limits of European settlement in Namibia. Under German rule such a settlement border was never precisely defined and under South African rule it was subjected two endless changes to open up new territories for the settlers. On the ground the colonial settlement border was rather a wide border zone with mingled and constantly re-negotiated land use of Europeans and Africans until after WW II. Due to the specific frontier situation in these peripheral areas the negotiations between colonised and colonisers differed substantially from the situation in the colonial centres and left more space for African agencies.

As a veterinary border, however, the Red Line conforms at least theoretically the model of the linear territorial border. The clear separation of 'healthy' and potentially 'sick' areas was a *sine qua non* condition for a successful veterinary border. Nevertheless, the intended clear separation in the sense of physical boundary demarcation and of an effective control could only be achieved with the construction of the fence, despite the colonial military or police presence along the inner-Namibian border since the late 19th century. The conceptualisation of the inner-Namibian veterinary border as a territorial border becomes obvious in its repeated *de iure* equating with an international border, both under German and South African rule. Nevertheless the Red Line was *de facto* never a border which separated two in principal similarly organised political entities and therefore never corresponded with the said concept

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[63] In the German orginal: "Demarkationslinie zwischen zwei im Prinzip ähnlich organisierten politischen Gebilden"; Osterhammel, op. cit., 1995, S. 110

[64] See for an European example i.a.: Peter Sahlins, "Boundaries: The Making of France and Spain in the Pyrenees", Berkley/Los Angeles/Oxford, 1989. Osterhammel also refers to the 'father of German geography' Friedrich Ratzel. (Osterhammel, op. cit., 1995, pp. 110-111) – In an African context Paul Nugent argues, that borders between African states should not simply seen as constructions done in remote European metropoles but also as results of local processes in which African actors were actively involved. (Paul Nugent, "Colonial Power and African Agency in the Making of African Borderlands", Keynote address for workshop on 'Blurred Frontiers: New Perspectives on Southern Africa and its Border Sites', University of Basel, 14 December 2004)

of the territorial border or boundary, which forms the theoretical paradigm for the discussion of linear borders in Africa.[65]

In conclusion the history of the Red Line contains elements of a closing frontier as well as of the gradual establishment of a boundary. Although being helpful, the two most common border concepts in Southern African historiography are both not sufficient to grasp the specific character of the Red Line. Following Jürgen Osterhammel a third border category will be examined, namely the imperial barbarian border ('Barbarengrenze').

<u>The imperial barbarian border or "Barbarengrenze"</u>

The imperial barbarian border is, according to Osterhammel, a defensive security zone, through which empires defend themselves at the point of their maximum extension against neighbouring peoples.[66] Historical models for this border category were for instance the external borders of the Roman Empire, the Habsburg military border on the Balkans against the Ottoman Empire or the Chinese border demarcation against the threats from inner-Asia.[67] Such borders were often sophisticated, and they comprised linear border fortifications: The "Limes", for instance, a fortification by the Romans which ran through central Europe to protect the Empire against potential Germanic intruders, or the famous Chinese wall. Beside their military function these fortifications were of huge symbolic importance. They were a visible physical demarcation line between the own world, perceived as civilising and superior, and the inferior but threatening barbaric world beyond. Despite their spectacular "symbolic of impermeability" these borders were not closed hermetically, but definitely offered space for various forms of cross-border traffic.[68] In addition, as more recent research on the Limes showed, the physical fortification by means of palisades or of a wall again marked the end of a long process of border building.[69]

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[65] Research on territorial borders in Africa primarily concentrates on international borders. (See Nugent, op. cit., 2004 as well as the general agenda of the "African Borderlands Research Network (ABORNE)".) Works having a focus on inner-state borders are rare. A recent example is: Gregor Dobler, "Boundary drawing and the notion of territoriality in pre-colonial and early colonial Ovamboland", *Journal of Namibian Studies*, 3 (2008), pp. 7-30.
[66] Osterhammel, op. cit., 1995, S. 109-110
[67] Ibid.
[68] Ibid. – With regard to a more detailed history of the Germanic limes see i.a. Martin Kemkes, Jörg Scheuerbrand, and Nina Willburger, "Der Limes. Grenze Roms zu den Barbaren", Ostfildern, 2006, especially p. 161ff; Egon Schallmayer, "Der Limes. Geschichte einer Grenze", München, 2006.
[69] Scientific research on the Limes (the so-called "Limesforschung") going back deep into the 19th century had for a long time a strong military focus, which ignored the permeability of this border and its gradual establishment. In fact the Limes as a fortification was preceded by a cut forest aisle used as a patrol road and only gradually fortifications were build along such forest aisle or cut-lines. (See Schallmayer, op. cit., 2006, pp. 35-42 and pp. 72-73; Kemkes et al., op. cit., 2006, pp. 164-165.)

The Red Line definitely features characteristics of an imperial barbarian border under South African rule since the 1920s, and then especially after WW II. The Red Line was the physical limit of the South African Empire. Here the boundary was drawn between the 'white', European Southern Africa and the 'black' interior of the continent, between 'health' and 'sickness', between 'civilisation' and 'wilderness'. The aim of this border was to protect the settler society of Namibia, and by that the settler society of South Africa, from the threatening dangers originating in the interior of Africa. Despite the almost non-existence of a physical border the powerful cartographic representation of the Red Line allowed for the staging the existence of such a clear boundary on a symbolic level. In addition, the absence of a visible fortification did not mean the absence of any border fortification. What was ideally a wall or a fence consisted, in the case of the Red Line, of a chain of police posts along the border combined with a complex system of adjoining huge stock- and people free zones. In colonial Namibia, the threats out of the interior of Africa were primarily discussed in terms of germs and viruses and treated as a veterinarian problem. Hidden behind this, were vague fears of dangers impressively described by the South African author J. M. Cotzee in his novel "Waiting for the Barbarians".[70]

The term imperial barbarian border or "Barbarengrenze" is in several ways a helpful completion to the terms frontier and boundary discussed above. On the one hand, unlike the concept of the boundary, the concept of the imperial barbarian border makes clear reference to the uneven power structures connected to hierarchies of values between the two sides of the border. In addition, the term 'barbarian border' strongly expresses the enormous ideological and symbolical or metaphysical meaning of the Red Line. On the other hand, the use of the term imperial barbarian border opens the way for embedding the inner-Namibian border into the broader context of a South African Empire, and it would hence allow for a consideration of structural similarities with other marginal regions therein.[71] With regard to Namibia as a whole the Red Line system has to be seen as the beginning of a transition zone, for which

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[70] J. M. Coetzee, "Waiting for the Barbarians", London, 1980 – Coetzee gives an account of the mingling experiences as oppressor and as oppressed an aging colonial officer went though, who is on duty in a remote place at the border of the empire. Beyond this invisible boundary start the great wilderness and the unknown wideness of the land of the barbarians.

[71] The potential of such a comparative perspective was tested at the workshop mentioned above ("Borders of Empire – Workshop on Border Issues in Southern Africa", University of the Western Cape, 21.10.2005) with participants from various southern African countries.

Patricia Hayes used the term "African Threshold".[72] Hayes has referred thereby to the constitution of a transition zone leading into the "Northern Native Territories", i.e. the areas lying north of the Red Line which was "neither purely African, nor purely European or settler-influenced" but a place of historically emerged compromises and negotiations.[73] An analysis of the complex history of the Red Line allows to deepen and to sharp the understanding of these transition zones, of these "African thresholds".

V. Conclusion

The Red Line is a core element for an understanding of Namibia's colonial history. This inner-Namibian, which exists up to date, has its roots in two German concepts, namely the concept of a veterinary border and the one of a settlement border. Both borders were eventually reshaped and merged by the South African colonial power in the 1920s. The history of the Red Line reflects the long process through which the Namibian territory and its people were physically and metaphysically segregated. The Red Line defined the limits of the South African settler society and was an attempt to draw a line against what was perceived as inner-Africa. The paper shows the slow establishment of this inner-Namibian border and highlights the important role of the veterinarians and their fear of invading viruses and germs played therein. Both sides of the Red Line were the ingredients necessary for a successful establishment of a colonial settler society. Indeed, the regions south of the line were heavily dependent on labour originating from areas beyond the line. The border regime's inherent conflicting simultaneity of openness and closure is described as the fundamental paradox of the border.

Due to African resistance and a lasting reluctance by the South African administration to invest in the colonial project in Namibia, it was only after World War II that the colonial government seriously implemented segregation and enforced border control. Between 1947 and 1963 the numbers of European farms almost doubled and Africans were finally pushed into reserves at the edges of the settler's heartland (i.e. the police zone) or beyond its borders. The contract labour system and the isolation of the reserves outside the Red Line guaranteed a steady but temporary influx of labour required from outside the police zone. The presumed

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[72] Patricia Hayes, "The African Threshold", public lecture at the University of Basel, 22. May 2000. The author kindly gave me the manuscript of her lecture.
[73] Ibid.

security of settler Namibia was deeply challenged by an outbreak of foot-and-mouth disease in the early 1960s. The danger was eventually countered by the complete fencing in of the Red Line, which therewith became a thorough physical border for the first time. In its fenced form the Red Line was eventually much easier to control.

In the context of debates on borders in Southern Africa the Red Line neither fits into the model of the frontier nor the one of the territorial (national) boundary. The paper, therefore, suggests considering the concept of the imperial barbarian border in order to understand the characteristics of the internal Namibian border. A concept that allows to place the Namibian experience in a broader regional frame, in which South Africa as the main player has to be understood as an imperial power. In this perspective the Red Line stands for the limits of an expanding South African settler society, which conceptualised itself as being the opposite of black Africa. The Red Line hence constituted *the physical border* between 'white' and 'black' Africa.

'The Invisible Boundaries of the Karanga: Considering Pre-Colonial Shona Territoriality and its meanings in Contemporary Zimbabwe'

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The Karanga who settled in southern Zimbabwe in the early 19th century did so in waves that replaced or reformed the territorial configurations of autochthons. A distinguishing feature of their settlement patterns is the tendency to cluster around mountains and their oral traditions speak of the distribution of mountains rather than land. For these people the idea of a territorial centre was important and ideal for keeping the periphery it controlled as elastic as possible. The boundaries of the Karanga thus remained forever porous and constantly shifting as the various groups moved, fought or accommodated each other. Despite the imposition of rigid borders in the colonial and post-colonial periods these concepts of unbounded land defined by political centres continue to feature in contemporary debates over resettlement and restitution in Zimbabwe. This paper considers the basis of Karanga territoriality in the centre-periphery ideals of the pre-colonial period with a view to investigate the meanings of 'borders' and neighbourliness in southern Zimbabwe and how this has shaped history and claims to ownership amongst some chieftainships in the Masvingo district.

1.0 Introduction: Becoming Karanga

This paper discusses the territorial concepts of the Karanga, a subgroup of the Shona-speaking people of Zimbabwe. The term Karanga in itself is old and loaded. It carries both linguistic and ethnic overtones as much as it has acquired different territorial meanings over time. Today it refers to speakers of a dialect of the Shona language concentrated in the south-central parts of Zimbabwe who trace their ancestry to small bands of settlers that occupied this region in phases between the end of the 18th and the beginning of the 19th centuries.
Between the 15th and late 18th centuries, literate Portuguese observers made reference to the greater part of the Zimbabwean plateau as 'Mukaranga', (the 'land of the Karanga) and its inhabitants as the 'VaKaranga.'[1] In this period however, a number of dynamics had shaped the ethnic and territorial configurations of this 'Mukaranga' chief amongst them being the demise of Great Zimbabwe from around 1450 which led to the formation of two competing

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[1] S.I.G. Mudenge, *A Political History of Munhumutapa* (Zimbabwe Publishing House, Harare, 1988), p. 21.

and contemporaneous states on opposite ends of the plateau. The Mutapa state in the northeast emerged when the migrants from Great Zimbabwe conquered the northern Tavara (Tonga) groups and established a dynasty under Nyatsimba Mutota of the *Zhou/Samanyanga* totem. To the northwest other groups from Great Zimbabwe intermingled with the Kalanga speaking Leopard's Kopje people and established the Torwa dynasty based at Khami. To the Portuguese the Mutapa state was synonymous with 'Mukaranga' and the Khami state with 'Butwa' and these two regions have received a fair amount of coverage in their writings to the extent of overriding other key regions either to the south or east of both.[2] To a large extent 'Butwa' and 'Mukaranga' became the theatre of activity in which the Karanga identity was born and some historians who have been keen to talk of the 'Karanga empire' have been content to investigate it through the lens of the two zones.[3] From the 1680s onwards a significant force inevitably brought these two previously autonomous regions together. A military movement under 'Dombolakonachimwango' or just 'Dombo' emerged within the Mutapa state and expanded westwards into Butwa. It took over the Khami capital, incorporated the Torwa chiefs and spread its tentacles across the entire northern and southern plateau to become the Rozvi 'empire' under Dombo's Changamire dynasty. In this paper, I submit that it is this Rozvi 'system' that gave rise to the contemporary ideal of the Karanga, their identity and spatial behavior. To understand contemporary Karanga territoriality we need a thorough understanding of the Rozvi system. It is a system born out of mobility, religious mysticism and political violence giving rise to the idea of a politico-religious core and a tributary periphery which was replicated in all its provinces. When the Rozvi empire collapsed in the 1840s, the Rozvi system did not die but remained intact and was the political and territorial model adopted by the scattered tributaries that formed the new Karanga identity and their concepts of borders.

2.0 The 'Rozvi System' and Macro Level Centre-Periphery Dynamics

Although in the historical record there were indeed a people who came to be known or described as Rozvi, they were not [and are still not] an ethnic group. They can best be described as a political class composed of four main totemic groups the *Moyo* -Moyondizvo, the Tumbare- Bepe *Moyo*, the Mavhudzi-*Shava* and the *Shoko*-Nerwande who constituted the ruling elite.[4] There were several other peripheral totemic groups that did not necessarily belong to the main four but still consider themselves vaRozvi to this day.[5] The Rozvi identity emerged chiefly from a warrior/client class known as the *Nyai* , a term initially used to refer

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[2] E.g. Dande, Chidima, Manyika, Barwe, Sedanda and Venda.
[3] See for instance Chigwedere, A., *The Karanga Empire* , Harare, Books For Africa, 1985.
[4] S.I.G. Mudenge, *A History of the Rozvi Empire*, forthcoming; see also Mudenge, 'An Identification of the Rozvi', *Rhodesian History* vol.5, (1974), p.29. I am grateful to Dr. Mudenge for sharing his vast knowledge on the subject and discussing with me his work in progress.
[5] Rozvi dynasties of various *Shoko* totems dominate northwestern Zimbabwe in the Deka, Gwai and Zambezi areas, a significant number of them forming the Nambya speaking groups, the Mafungafutsi area of Gokwe is dominated by Rozvi groups of varying *shava* totems such as Chireya. More groups identifying themselves as Rozvi can be found further south between the Tugwi and Runde rivers.

to soldiers of the Mutapa army but was gradually used interchangeably with the term Rozvi itself.[6] 'For the Rozvis are Nyais…', wrote Fr. Francisque Marconnes,

'…the partially Tebeleized Nyais of Empandeni, in the Mangwe district of Matabeleland, positively assert that the (Ama) Lozwi are identical with the Aba (Nyai). Their own tradition is that the (Ama) Lozwi and the (Ma) Karanga were long ago one people under a great chief who was called Mambo or Monomutapa *sic*'[7]

Dombo certainly did hail from a military background, being one of the commanders of the Mutapa army. He was therefore a mu*Nyai*. In his conquest of Butwa, he is remembered in the oral traditions of the Kalanga as 'Nechasike' the leader of the VaNyai who conquers the powerful magician chief of the Kalanga, Chibundule.[8] Although he successfully generates the new Rozvi identity under his Changamire dynasty, the Nyai identity was never totally supplanted. Even after the collapse of the Rozvi state former Rozvi territory (particularly to the south) was constantly referred to by Europeans as 'BaNyailand', or simply the land of the 'Makalakas', a corruption of Karanga. But apart from simply being military people what really constituted Nyai identity and how did Rozvi elitism transform or modify it?

Anthropological studies of the vaNyai locate the origins of Nyai identity in cliental relationships formented by 'big men' and dependent young men through uxorilocal marriage arrangements. Under the arrangements known in modern Shona as 'kutema ugariri', such wealthy men were able to offer their sisters and daughters as wives to young men in exchange for labour. The young men, in turn, established a dependent relationship with their hosts, expanding their activities to become henchmen, guards, errand runners, spies; and as the sphere of influence of their hosts expand, councillors.[9] They in turn became 'big men' with their own vaNyai and with an enlargement of scale this process gave rise to a universal identity of bondsmen and their families that translated to being a Nyai.

After Dombo's triumph it was also necessary for him and his ruling clique to shed off the Nyai identity and assume a new one, that of 'Rozvi', a fluid identity that could be achieved by anyone regardless of their totem as long as they had achieved the requisite social status. Rozviness was an enlargement of scale of the Nyai identity and it was more elaborate because it now dealt with an empire level administration which appealed to more sophistication. This was achieved through two main strategies; appropriating a religious cult and establishing an elaborate tributary network.

2.1 *The 'Mwari' Cult within the 'Rozvi System'*

There exists no formal knowledge of the functions of the Mwari cult prior to the coming of the Ndebele in the 1830s. Its origins are debatable with some scholars believing that it may have originated at Great Zimbabwe together with the Mhondoro (ancestral spirit) cult but became dominant in the southern parts of the country as an oracular movement that had also

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[6] Posselt, *Fact and Fiction*, (Books of Rhodesia, Bulawayo, 1935) p.135
[7] F. Marconnes, 'The Rozvis or Destroyers' *Native Affairs Department Annual* (1933), p.73.
[8] P.J. Wentzel, *Nau Dzabakalanga: A History of the Kalanga vol. 1* (Pretoria: Unisa Press, 1983), pp. 11-16.
[9] C.S. Lancaster, 'Ethnic Identity, History and "Tribe" in the Middle-Zambezi Valley', *American Ethnologist*, vol. 1 no. 4, 1975, p.718.

incorporated ancestral elements after it moved to the Matopos shrines. The Mhondoro cult achieved more influence in the northern areas. Ngwabi Bhebe's work details the relationship of the Mwari cult with the Ndebele and Ranger's concentrates on its role in the 1896/7 Ndebele/Shona risings.[10] Daneel attempted to use its contemporary structure to extrapolate its functions in the pre-Nguni period but relied principally on the functions of one shrine (Wirirani) out of nearly twelve of them both within and outside the Matopos cult centre. In his analysis however, Daneel explains the centralised nature of the cult as being the main attraction of the cult to the Rozvi kings who exploited and elaborated this for political purposes.[11] To him the cult operated like a 'secret service' through its offices of the 'Eye' *ziso*, the 'Ear' *zheve* and the 'Mouth' *muromo*. The 'Eye' was the most important office controlling the external organisation of the cult and it was an office reserved for one of the Rozvi kinsmen. So indeed when the Rozvi empire was at its peak...

…the cult , then in possession of several major shrines in the Matopos, consolidated its wide influence. Its political significance, too, grew as it became increasingly important for affiliated Shona chiefs to demonstrate their loyalty to the Rozvi kings. One of the ways of doing so was by regularly sending messengers *vanyai* to Matonjeni (Matopos) with pleas for rain, to consult *Mwari* on successions to chieftainship and to dedicate *mbongas* [female messengers] and *hossanahs* [male messengers] from the far off districts to the service of this God. In a sense, Mwari now became the *God of the priests and chiefs*. [emphasis in original][12]

The Mwari cult, as a High God cult worked through but subordinated the tribal spirits of the tributary chieftaincies though not completely silencing them.[13] The collapse of the Rozvi state under pressures from various Nguni groups did not have a similar effect on the Mwari cult system because the Ndebele who eventually conquered the Rozvi state preserved the cult intact and probably adapted its provincial networks and that of the Rozvi state to their own tributary system. [14]

2.2 *The Tributary Network*

The Rozvi are famed for having brought to life a sophisticated tributary system that was adapted by all their successors including the Ndebele and the British South Africa Company. Again most scholars believe it was linked to their religious mysticism.'I am inclined to think…' wrote Charles Bullock, an early colonial administrator, '…that this strong influence [of the Rozvi] had a supernatural origin, and that the WaRozwi (sic) dominance with its privileges of appointing the Chiefs of other tribes came not so much from any superiority, military or otherwise, as from their organized institution of the Mwari cult'.[15] Posselt's ideas

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[10] N.M.B. Bhebe, 'The Ndebele and Mwari Before 1893: A Religious Conquest of the Conquerors by the Vanguished' in J. M. Schoffeleers (ed.) *The Guardians of the Land*: *Essays on Central African Territorial Cults* (Mambo Press, Gweru, 1979), T. O. Ranger, *Revolt in Southern Rhodesia* (Heinemann, London, 1967).
[11] M. L. Daneel, *The God of the Matopo Hills: An Essay on the Mwari Cult of Rhodesia* (Mouton, The Hague, 1970), p. 24.
[12] Ibid. p. 26.
[13] M.L. Daneel, *African Earthkeepers Vol. 1 Interfaith Mission in Earth-Care* (Unisa Press, Pretoria 1998), p. 30.
[14] Bhebe, 'The Ndebele and Mwari before 1893'.
[15] Bullock, *The Mashona*, (Juta, Cape Town 1928) p.41.

paid particular emphasis to the manner in which this Rozvi empire was managed, which was principally by way of appointments through the ceremony of *kugadza ushe* (installing chiefs).[16] He also elaborated the administrative system of the Rozvi including the nature of tribute and its collection. Later historians like Mudenge writing in the 1970s found much of the picture painted by Posselt to be plausible and he was able to show that the Rozvi did actually appoint regional 'governors or representatives' and that Rozvi soldiers 'visited' any vassal chief who did not pay his tribute.[17] Mudenge also expands Bullock's picture of the Rozvi's ability to control vassal chiefs through their religious power. He confirms the cohesive role of religion in the Rozvi empire and the superior position of the priesthood in the *Mambo*'s council as well as its active involvement in the investiture of vassal chiefs.[18] The Rozvi did not only have the final say on the appointment of a tributary chief, the chief had to literally travel to the Rozvi capital for official appointment. Each of the chieftaincies had to follow the Rozvi 'adelphic collateral' succession system which served as a model for all tributary chiefs. This involved a system where the eldest son succeeded the father after which all the brothers succeeded in a row until the first son of the eldest brother succeeded and the system was repeated over generations. Indeed this system never worked within the nuclear Rozvi state itself as evidenced by the number of succession disputes that ripped apart the state, but it was a principle to be followed in the vassal chieftaincies. Rozvi officers participated directly in the collection of tribute from these chiefs and administered the 'poison ordeal' to execute those chiefs who failed to meet their requirements.[19] Again this became an established culture and when the Rozvi state crumbled it continued amongst these tributaries as they scattered around the plateau in a process that created the new Karanga.

The Rozvi concept thus described certainly fits the basic centre-periphery theories explaining spatial behavior universally where core areas become the net consumers of the products of the periphery and are the dominant partners in the network of political relationships while the peripheries are the net providers and the dominated partners.[20] The decline of the Rozvi core is however interesting in that although it gives way to a new power (the Ndebele) with their own core, it leaves behind an intact political culture in the periphery that continually uses the models set by the Rozvi on a micro scale and give rise to a new Karanga identity.

3.O. The 'New' Karanga and the Micro-Level Concepts of Territory

By the beginning of the 19th century a number of factors contributed to the demise of the once powerful Rozvi state. Chief amongst them were succession disputes that led to several wars that left the state severely weakened. Key groups forming the core of the Rozvi elite began to migrate outside the state's nuclear area such as the Mutinhima and Jiri houses, equally, there

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[16] Posselt, *Fact and Fiction*, p.140.

[17] S.I. Mudenge, 'The Role of Foreign Trade in the Rozvi Empire: A Reappraisal', *Journal of African History*, xv, 3 (1974), p. 383.

[18] Ibid, p382.

[19] See the deposition of the Ngowa chief Kuvhirimara in .M. Hove, 'Notes on the VaNgowa Tribe', *NADA*, 20, (1943), pp.41-5.

[20] T. C. Champion, 'Introduction', in T.C. Champion (ed.) *Centre and Periphery: Comparative Studies in Archaeology* (Unwin Hyman, London, 1989), p. 14.

was an evident fallout between the political leadership and the Mwari cult and soon the final blow came in the four years between 1824 and 1828. In this period, more than four Nguni groups attacked the Rozvi state each leaving the state devastated until the flight and eventual capture of the Rozvi Mambo Chirisamhuru by the Ndebele. This triggered a new wave of migrations by groups who came to be identified as the new Karanga by virtue of their choosing to occupy areas controlled by former key vassals of the Rozvi and organize their political structures along the lines of the Rozvi although on a micro-scale. Most of the groups that settle in the south do so from three main centres Mbire ya Svosve in the northeast, Old Buhera in the central plateau and Kiteve in the south-east. They are identifiable as *Shumba* (Lion), *Mhofu*-Shava (Eland) and the *Moyo* (Heart) groups respectively. The *Shumba* groups all emerged from Mbire ya Sosve near Budjga and split into the Mhari (Nhema, Bere, Rera and Chivi) who settled between the Tugwi and Runde rivers, Charumbira, Jichidza and Nyakunhuwa who settled between the Tugwi and Save rivers. The *Mhofu* group is composed of break-away groups from Mbiru-Nyashanu's vuHera (Buhera) and include Munyaradzi in the Soti-Popoteke river valleys, the Mapanzure settled in the Tugwi- Musuka-Musogwezi waterways and the Matenda across the Ngezi river. Lastly the *Moyo* are largely Duma clans dominating the Mutirikwi, i.e. Murinye, Shumba-Chekai and Mugabe. To this group can also be added Nyajena. They all time their movements to fill in the vacuum created by the Rozvi retreat and the confusion created by continued Nguni presence in the form of the Ndebele in the west and the Gaza in the east. It must be acknowledged that this turmoil actually shapes their attitude to territory and they all formulate their political and territorial cultures around their idea of the *Gadzingo*.

3.1 The Gadzingo

The Karanga polities that emerge in this period were almost all founded by individuals, usually lone hunters that enter 'no man's land' or are invited by a host to help with their skills. After a feat, they are offered land (and/or a wife) to which they invite their kinsmen to settle. After a while, they establish a political authority, either by leading a war of dispossession or by becoming a father figure with many descendants. All these charter myths serve to buttress a single point; the establishment of a political core in which the principle of a sacred chieftainship may obtain. To this extent Igor Kopytoff's Frontier thesis can easily be applied beginning with the frontiersmen or these lone hunters who leave their original clans to found new polities in 'no man's land', invite their kinsmen, establish authority, convert their kinsmen into their subjects and construct a patrimonial model in which their new entity is legitimized by set rules governing succession and recognition. Usually they find their neighbours doing the same and become interdependent by recognizing each other's symbolic elements to which common traits can be identified. In doing so they sought recognition and legitimacy amongst each other as neighbours after which this process became universal and was repeated constantly in a regional context.[21] Karanga polities constructed their authority around a politico-religious metaphor known as the *gadzingo*. In physical terms it was a

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[21] I. Kopytoff, 'The Internal African Frontier: The Making of an African Political Culture' in I Kopytoff, (ed.) *The African Frontier: The Reproduction of Traditional African Societies* (Indiana University Press, Bloomington, 1987)

political centre embodying all the traits that gave these polities meaning in their early lives, it was their official headquarters, their burial ground, their place for ancestral veneration and also their place of refuge in the event of an attack by enemies. Chief Zephaniah Charumbira qualified how the Charumbira gadzingo emerged around Barapate mountain:

….so when they [Charumbira brothers]stayed at Nhinhihuru and they gathered in their numbers and they started distributing land to each other. Bika as the eldest brother was given his ward, Nemazuhwa his ward, Nezvigaro his ward. And Chainda [the founder] chose to live in the *gadzingo*, right here where I am settled. This is called the *gadzingo*, meaning that this is where the mountain Barapate is found. In Barapate, is where each incumbent chief was supposed to stay, because this is where the stronghold *nhare* was found. This is where they hid from the Matabele *madzviti*. When the *madzviti* came they hid their chief in there. In the past they used to say if a chief is defeated so is his clan. There were plenty of caves in there where the chiefs' would hide when the Ndebele had come. There were also sentinels *nharirire* whose job was to watch out for the *pfumo* (invading army/raiding party), they would then fight that pfumo while the chief hid in the *nhare*. All the Nhinhi chiefs who died were buried in the *gadzingo* and whoever would have been appointed chief stayed in the Barapate, the *gadzingo*.[22]

Sometimes the *gadzingo* could even be a cluster of mountains as in the case of the Mapanzure people. Former acting Chief Mapanzure, Raphael Manyoka described it thus:

What we call the *gadzingo* is when a chief is in his area, for example in our case the Mapanzure *gadzingo* is around the Zhou area. Zhou was the biggest mountain in the area and that is where Muravu lived, then came Mapanzure and Mazorodze this was the place where the chief was supposed to reside and it had a number of mountains including Matiringe, Murove, Chenhoro, and Nyandimbobvu including our sacred forest the Rambotemwa all belonged to the gadzingo nobody was parceled out this land for personal use…but the incumbent chief and his *machinda* (councilors) as well as other important functionaries of government lived… in the *gadzingo*.[23]

The *gadzingo* however need not always be at the centre. The distance between the two *gadzingos* described above is less than five kilometers because Charumbira and Mapanzure are neighbours, yet the two polities' spheres of influence stretch over tens of kilometers in different directions. It is also important to appreciate the Rozvi background in this emergent political culture. First the collapse of the Rozvi tributary structure was not followed by the collapse of the parallel Mwari cult ideology that kept intact. Instead it was transformed from working at supra-territorial level to assume an intra-chieftainship structure that used local ancestral spirits as religious provinces. The *mbonga* and *hosannas* transformed their roles as well to become *manyusa* or messengers concerned more with collecting gifts for Mwari as a rainmaking cult. This way the *gadzingo* as a religious centre gained prominence, receiving the *manyusa* and being the centres where rainmaking ceremonies *mitoro* were conducted. They all invariably constructed sacred forests *marambatemwa* in or around the *gadzingo*. The local ancestors were easily incorporated into the regional network that shared common traits and was even more powerful than it could have been in the heyday of the Rozvi empire. The individual chieftaincies now enjoyed political autonomy and freedom to choose incumbent chiefs without official approval by an authority far away. Although the cult became a socio-religious movement its basis in Rozvi political structures however never faded hence its

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[22] UZHD Text 184 Vta. Interview with Zephaniah Charumbira October 1975.
[23] Interview with Raphael Manyoka Gwenhamo, Mapanzure Communal Lands, 18th July 2001.

relevance to most of these new Karanga polities. Let us consider the two other variables that shaped Karanga political culture as it emerged at this time; defence and the environment;

3.1.2 *Defence*

The new Karanga polities as mentioned earlier were sprouting at a turbulent period marked by internal strife within the Rozvi state and invading Nguni armies during the *mfecane* wars. The emergent Karanga 'Big men' who were biulding up lineages also needed faithful and powerful clients.[24] Before the Nguni period resistance to enemy attacks in some areas as amongst the Duma was organised at a confederate level in a top down fashion but with the coming of the Nguni it had to be organised at village level and chiefdom level, going up.[25] This was achieved through the system of *Makota* which became much more prevalent at this time. *Gota* literally means a prefect or councillor but in the traditions relating to the 19th century, the term gradually comes to refer to territorial guards.[26] Amongst the Duma the *Makota* were territorial councillors not related to the ruling lineage head but occupied the same position as his relations or *Machinda* and this hierarchy went down to the village level.[27] Today recollections of pre-colonial land allocations amongst the Mhari have much to do with the role of such *Makota* who were often allocated land on hills bordering the lineage head's territory, usually those in the direction in which the enemy often came.[28] They were the first to fight the enemy and to raise alarm. Quite often the *Gota* was given a wife and assumed a vassal status as *Mukuwasha* or son-in law.[29] Occupying a similar status as the *Makota* were the *Nharirire* or sentinels. In what Mtetwa terms a revolution in the Duma defensive warfare; during this period a wide range of techniques and devices were introduced including this system or network of watchmen. The watchman or *Nharirire* was stationed on every high hill or refuge place *Nhare* to be on the lookout for the coming of the *Madzviti* and then to warn immediately of the people who were attending to the fields, or herdmen, by blowing the trumpet *hwamanda/mbuvuvu*. When one *nharirire* blew his trumpet, the next *nharirire* did the same and the process went on until a very large area was warned.[30] Thus a larger community could benefit even more in terms of security from the services of several lineage *nharirires* who could warn the people in time to give them the opportunity to react. The *gadzingo* as the centre, was usually the most well protected and the least vulnerable composed of *nhare* or strongholds with caves where the chief could be saved from death for to kill the chief was to destroy the whole clan.

3.1.3 *Environment*

The period in which the Karanga also emerged was a period of scarcity following the famine period of the 1820s to 1830s. The major reasons for movements during this time was

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[24] See, G.C. Mazarire, 'The Politics of the Womb: Women, Politics and the Environment in Pre-Colonial Chivi c. 1840-1900' *Zambezia* XXV no. ii, 2003, p.5
[25] Mtetwa, 'A Social and Political History of the Duma', p.164
[26] Interview with Pingirayi Mhosva, and vaNyakurayi 22/10/99, Interview with Johannes Tongoteya, 26/03/97
[27] See Mtetwa; 'A Political and Social History of the Duma' p. 57
[28] Razaro Hofo, Interview on 13/10/99
[29] Interview with Jeremiah Mabhanditi
[30] Mtetwa; 'A Political and Economic History of the Duma', pp. 164-5

competition for resource rich areas. The *gadzingo* of the Mhari in Chivi was founded around cluster of hills at Nyaningwe which was not only good defensible area but was a micro-climate with fertile land and enjoyed good relief rainfall. On the contrary, the land just behind it was the complete opposite, a rain shadow, dry and plain known as the *Deve*. As a result the ruling Mhari lineage descendant from Chivi dominated this Nyaningwe area of the *gadzingo* while subordinate groups were confined to the *Deve* and each bad year they relied on the benevolence of their benefactors in the rich *gadzingo*.[31] Similarly for the Mapanzure, their *gadzingo* in the Zhou zone was not only a cluster of mountains but the source of several rivers in their Chishanga territory. These are principally three or four rivers that form an upside-down triangle as Tugwi (south), Musogwezi-Musuka [Nyamangura] (east) and Ngondo-Mutiwazizi (west-north-west). All these rivers, draw their waters from the central watershed in the highland area of the *gadzingo*, so physically and metaphorically they were one because of the source. Naturally political competition was a struggle to control the source of Chishanga waters and own them, they became a natural core because they controlled the periphery, controlling water meant controlling everyone and confining them to some delimitable authority as far as the water supplies could go.[32]

In many ways therefore a number of factors came together in the new Karanga political culture that emulated the Rozvi model but developed interesting local peculiarities that found universal application among the Karanga neighbours. By the mid 19th century Karanga succession system was almost uniform, almost all Karanga had political centres and when they did find reason to move the same principles informing the foundation of a *gadzingo* applied to the new area that was moved to. Several sacred forest *marambatemwa* obtained in different chieftaincies and the Mwari cult messengers operated amongst them in the new refined terms of the Karanga. These overlapping factors defined the new Karanga political geography in which they all co-existed as neighbours. And even as they fought and conquered each other now and then, principles for recognition remained the same if all the variables discussed above had to function in equilibrium. By the end of the 19th century Karanga boundaries were as fluid and porous as ever, they could not be bounded and mapped easily in the typical European tradition that came in the 1890s yet the Karanga themselves understood each other's spheres of influence and how they functioned or were regulated.

4.0 Discussion

Any appreciation of the modern boundary politics of the Karanga of southern Zimbabwe must of necessity consider that they were still in a state of re-organisation by the time the British South Africa Company established rigid boundaries on Rhodesia in 1891. None had been fully concretised by the mid-19th century when they readjusted to the twin factors of Rozvi demise and increasing Nguni presence. Although a political precedent did exist in the form of Rozvi territorial districts and provinces, they were not in themselves concrete

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[31].Mazarire; 'Women, Politics and the Environment,'
[32] G.C. Mazarire, 'The Chishanga Waters Have Their Owners: Water, Politics and Development on South-Central Zimbabwe' *Journal of Southern African Studies* vol. 34, no 4 (2008).

demarcations but administrative centres. The Karanga boundary tradition was therefore not old when it was transformed again by the colonial system it was still in a state of change although it had appropriated key principle of Rozvi centralization and was reducing it in scale from a macro to a micro-level that suited the changing circumstances. The *gadzingo* concept was an important first stage that had achieved universal appeal as a Karanga political culture because it embraced most of the facets that had defined previous political structures, it brought together local ancestral presence and the universality of the High God cult, yet in this arrangement it guaranteed individual chiefly autonomy. It broadened the scale of the political core and its periphery by bringing this at a micro-level and turned the supra-territorial concept of the Rozvi with all its inefficiencies upside down. It created a new sense of recognizable neighbourliness based on the same principles and driven by the same ideals with checks and balances in different polities. Although they had stationary administrative centres their spheres of influence overlapped as spiritual or political peripheries which were in constant change as these were often occupied by very mobile adherents or followers. Somehow, control of the periphery was little no more than appointing, or making sure that loyal followers were appointed to positions of responsibility. Their expansion was also based in kinship webs and almost a large number of the Karanga neighbours were related and it was encouraged to offer land as means to forment or strengthen kinship relations if a polity's was in anyway keen to expand. There are plenty of examples in these Karanga traditions where nephews are offered land by their maternal uncles and in turn come to dominate it (e.g. the Mhari and the Ngowa). Land was therefore not a constant variable in the new Karanga tradition for it was a commodity of exchange, a gift or a means of rewarding clients, in this way it would not pass for demarcating a 'boundary' in the European sense of the word. This is why Karanga traditions of territory even at this transitional stage did not favour to talk of *miganhu* (borders) but of distributions of mountains because they embodied their political culture built up from more established territorial configurations built under the Rozvi empire. This symbolized a transformation in their conception of political geography which was still changing when European borders were imposed on them. The concept of a boundless territory is illustrative; '*Duma Harina Muganhu*' (Duma has no boundary) is a Duma song denoting the boundlessness of Duma country, it is also 'gives the extent to which Pfupajena [the founder's] wars were carried and the country which he covered in his travels….Sabi, Nyazvidzi, Tokwe, Limpopo, a vast stretch of country covering the entire half of modern Zimbabwe.[33] To this extent therefore Karanga boundaries remain invisible no matter what demarcations can be erected around them, colonial demarcations did cause conflicts between different Karanga groups such as Nemamwa and Mugabe, Nhema and Chamburukira among others but this is because the colonial government attached chiefly authority to territorial demarcations in the same way that the Rozvi did but on different principles. They thwarted the Mwari Cult that had qualified this principle on the pretext that it had organized the Uprising but failed appreciate the new role it had assumed amongst the Karanga polities that emerged after the demise of the Rozvi. In today's land reform programme this issue of the meaning of land to the Karanga still emerges. Although resettlement attaches value to land as

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[33] R.M.G. Mtetwa, 'The Political and Economic History of the Duma People of South-Eastern Rhodesia from the Early 18th Century to 1945', Unpublished DPhil Thesis, University of Rhodesia 1976, pp. 41-42.

surveyed and planned economic units to boost rural production they are still loud clamours for the restitution of lost lands. On closer analysis this is not good agricultural land nor is it even land at all, but mountains, ancestral graves and sacred forests that qualified Karanga political geography for most of the 19th century.

DECENTRALISATION AND TERRITORIAL POLITICS:

THE DILEMMA OF CONSTRUCTING AND MANAGING IDENTITIES IN UGANDA

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Introduction

Boundaries play an important political role in the construction of identity and defining access to resources and rights. While delineation of internal boundaries takes place at the local level it has a lot of meaning to the central state, in particular how the political power elites gain, and retain political power. In Uganda, the manner in which internal boundaries have been changed posses several questions; what is the relationship between the central government and the process of boundary demarcation? What role does a discriminatory local power play in the management of challenges to central government power? And lastly how does boundary alteration reconstruct identities and access to resources and rights?

Uganda has a long history of internal boundary adjustment stretching from colonial to post colonial period. Internal boundary adjustment in Uganda, started by the colonial state has not just redefined how people negotiate access to resources and rights but opened a window of opportunity for the central state reduce it challenges to its power. The central underpin of the colonial indirect-rule policy was to fragment the ruled and unite the rulers against them. While this was to manage an ongoing labor shortage, it had far reaching consequences for Uganda. The practice officially created two legal systems and spheres, both exclusive[1]. Race defined the first sphere which was occupied by imperialists and their agents –the imperialists were the first and the agents the second race. The second sphere was occupied by Africans who were administered under different customary legal regimes based on tribes. While "tribes" were similar in terms of culture, linguistics, the legal regime exaggerated difference between them, resulting into separate administrative and political authorities[2]. Consequently the colonial state consciously delineated district boundaries by grouping where possible each ethnic groups into a single district[3]. This conscious demarcation of district boundaries, resulted into a political and administrative system which discriminated based on ethnic identity-ethnic identity was considered primordial- unchanging regardless of social change and passed on at birth from father to child.

While these different districts had more than one ethnic group, they were named after the dominant ethnic groups[4] such as Busoga, Teso, Acholi, Lango, Karamoja. Naming after a dominant ethnic group serves a reciprocal political purpose. The dominant ethnic group and the state both undermine other groups as the former is given legal and institutional mandate over resources and rights. Simply put, the district named after an ethnic group becomes its ethnic home. Persons who do not belong to that ethnic group become immigrants stripped off all rights. Fragmentation along ethnic identity then takes two forms. First the fragmentation based on territorial naming and second is fragmentation

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[1] See Mamdani 1996

[2] Mamdani (2009) "Buganda and Uganda at a Crossroads" Lecture delivered at the Abu Mayanja Annual Lecture on August 7th 2009 at Kampala International Conference Centre.

[3] Republic of Uganda (1990) *Report of the Rationalisation of District Boundaries Committee,* Kampala: Ministry of Local Government. Pp. 6

[4] For a detailed account on the politics of naming see Mamdani, (2007) "The politics of Naming: Genocide, Civil War, Insurgency" via http:/www.irb.co.uk/v29/no5/mamd01_.html

within the territory creating permanent containers for each group, as well as categorisation of people as natives and immigrants.

Most of the post-independence internal boundary adjustments have been justified as response to the colonially created boundaries and the desire to extend services nearer to the consumers. While this appears to be an administrative justification, boundary adjustment appears to be serve political interests as well. The paper examines how boundaries are used to capture and retain power by the political power elites. This is done by examining the how boundaries are used to reconstruct and manage identities affecting how people access resources and rights at the local level.

Setting the Pace for Local Government in Uganda
Until the early post World War II period the concern of British colonial policy was to establish and maintain an effective administration. As such good government in the present was preferred to self-government in the future but this changed when the 1919, African (Native) Authority Ordinance, which had located power in the chiefs was repealed[5]. Imperative to note though is that the 1919 Native Authority Ordinance set the pace for later local administration especially how to deal with African resistance. For instance District Commissioner[6] (DC), who was the representative of the governor under the Ordinance, was the most important government official in each district. Below him there were chiefs who reported to the king, and a central government official who was an adviser to the king. The 1919 Native Authority Ordinance gave the DC responsibility for a hierarchy of appointed chiefs at village, parish, sub-county, and county levels[7].

The interwar period changed the dynamics of the local administration from direct rule to indirect rule which became the hallmark of the new policy direction. Within the armpits of indirect, African traditional institutions were officially recognised and provided for within the legal and institutional framework of the state. They were endowed with power to offer or deal with localized services and problems. Whereas, before the interwar period Uganda had been administered under a dual relationship of the chief and the European colonialists, the opposition created by this dual entente meant a change in policy. The most fundamental of all these reforms was the 1949 Local Government Ordinance.

The Local Government Ordinance of 1949 established the district as a local government area[8] and a basis for a separate administration[9]. The district councils were given corporate powers and responsibilities in those areas where no agreements had been signed[10]. But recognised indigenous authorities in districts had to act within the parameters of accepted

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[5] Lubanga, Francis (2000). "The Process of Decentralisation", In Villadsen S and Lubanga F (eds): Democratic Decentralisation in Uganda: A New Approach to Local Governance. Kampala, Fountain Publishers
[6] The DC was an equivalent of the present day Resident Commissioner.
[7] Uganda Local Administration, online at
http://www.photius.com/countries/uganda/government/uganda_government_local_administration.html
[8] The highest unit of administration with executive, legislative and judicial powers
[9] Local Administration, online at
http://www.photius.com/countries/uganda/government/uganda_government_local_administration.html
[10] Karugire, 1980:127

policy[11]. Acting within accepted policy meant that districts were to be pure in culture, custom and tradition. The 1949 ordinance spelt out clearly that districts were to be composed of one tribe. As such in the process of determining district boundaries much care was taken to include wherever, possible and practical one ethnic group in one district[12]. Hence both the ordinance and its execution further re-organised the system of local governance or African administration by which the colonial administration aimed at creating a centralized, pyramidal organisation of executive, legislative and judicial authority in the district council[13]. Although this was construe as introduction of democracy and widening of the district councils to include Africans, it had its underbelly. Inclusion of Africans was based on ethnic identity, which had been defined to be primordial, generating a territorial citizenship regime and undercutting on all possible avenues for cultural assimilation. The intent of the new citizenship regime was to make culture pure and static, dividing up Uganda along two lines-ethnic natives and ethnic "foreigners".

Similarly the district councils discussed and dealt with issues, which affected their population only[14]-localised administration. In this restructuring the districts become the embodiment of indigenous administration. Indignity and tradition structured the methods of access to these district councils that were function specific and localised at that. The British officer or the present minister of local government moulded and modified these local institutions to respond to the interests of the state. Districts, in particular the federal states regarded the central government function as safeguarding and pleading for tribal interests in matters of appointments, distribution of development projects and social services[15].

The principle of local administration in colonial Uganda was thus on the philosophy that prestige and influence of the indigenous authorities can best be upheld by letting peasants see that the government itself treated them as an integral part of the machinery of administration based on their tradition and custom. In this form of arrangement the ethnic district administration they had no right to their place and powers unless they render proper services to the state[16]. This situation is no way different from the decentralisation policy introduced as part of a broader reconstruction programme in 1993. Article 202 (1) of the 1995 constitution states that the president may with the approval of two-thirds of all the members of parliament assume the executive and legislative powers of any district. Districts function as auxiliaries rather than challenges of the central government in the provision of services. As such internal boundary alteration makes sense to the central government as an avenue to reduce challenges, by co-option.

The Post-Independence boundary alterations and their Implications for ethnic identity and political power

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[11] Riley and Johns, 1975:310
[12] Karugire, 1980:127
[13] Wrong 1946:420
[14] Karugire, 1980:127
[15] Obote A M (1968) "The Footsteps to the Revolution" In East African Journal, October 1968
[16] For a detailed account Gore, 1935

Each post-independence regime in Uganda has had an opportunity to adjust the internal boundaries although the reasons are not the same. The table below shows the number of districts created by each government since 1962.

Table showing alteration of district boundaries in Uganda since independence by regime and region

Number of districts created by Regime and region in Uganda since 1962								
Regime Duration	**Regime/Government**	**Central**	**Western**	**Eastern**	**Northern**	**West Nile**	**Karamoja**	**Total**
1966-1971	First Obote government under the republican constitution	4		1				5
1971-1979	Amin Government	6	9	5	4	3	2	**29**
1986-1995	First NRM/A government under the 1967 republican constitution	2	3	1				**6**
1995-2001	First NRM/A government under the 1995 constitution	5	3	6	1	2	1	**18**
2001-2006	Second NRM/A government under the 1995 constitution	3	4	9	4	2	2	**24**
2006-2011	First NRM/A government under a multi-party political system	**1**	**3**	**6**	**2**	**1**	**1**	14
Total		**21**	**22**	**28**	**11**	**8**	**6**	**96**

Three threads run through all post independence boundary adjustments, in Uganda. They all seek to counteract the perceived ethnic threat to the government in a manner which disenfranchises one group, but also privileges another. Second, with the exception of the NRM all the other regimes did not disband the position of the chief which was the locus of local power and enforcement of tradition. Lastly all regimes take ethnic mobilisation rather than the political technology of local governance as the key threat to their political power. My interest is to focus on how the obsession with ethnic management has guided each regime's response to ethnic mobilisation against the central government.

The first alterations in 1966 affected Buganda as the table indicates; during Amin's government the most affected areas were western, central, northern and eastern Uganda. Both Obote and Amin's government defined the problem of Uganda as being ethnic, ascribing particular groups as a threat to government. By ascribing one ethnic group as a threat to the government, both demonised one group against the other groups in the country[17].

If the colonial state gave birth to a politics of territorial identity, both Obote and Amin reconstructed that politics in a manner which radiated distrust about ethnic politics but did not do away with it. During Obote's government the Buganda were branded as the enemies of the government, as he wined and dined with the Lwo speaking groups in particular the Langi and Acholi and during Amin's regime the Acholi, and Langi who had formed the core of Obote's government were branded the enemies of the government[18]. The branding of one group as enemy of the government alienates a group from accessing political rights and resources within the central government and outside their ethnic cradle. In addition branding legitimatise state and non-state vertical and horizontal marginalisation and brutality against the "enemy" ethnic group. In Buganda it started with the Nakulabye massacre in 1964; during Amin's government the decimation of the Acholi starting in 1971[19]. Both governments benefited from one fact of history; colonially constructed identities and the bifurcated state[20].

As such both governments entered into marriage with one ethnic group after another and moved out whenever it was necessary. None of the groups felt bound to resist the terrorising arm of the state unless the terror happened within its territory or targeted its own. These effects of divide and rule and a territorial citizenship were so deep rooted, that no ethnic group imagined that terror as a form of rule overflows to everyone at one point. Obote and Amin governments construed the threat to their political power as ethnic identity, whose solution was isolation and containment of specific ethnic groups, with the help of other groups. It is important to underscore the fact that the threat to governmental

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[17] Mamdani (2009) "Buganda and Uganda at a Crossroads" Lecture delivered at the Abu Mayanja Annual Lecture on August 7th 2009 at Kampala International Conference Centre

[18] See A.B.K Kasozi (1999)

[19] ibid

[20] See Mamdani (1996)

power is not ethnic groups but rather the manner in which the apparatus of government is organised and/or function.

Museveni's Districts: Curving out space for a little known force

After capturing state power in 1986 the NRA/M was faced with two fundamental problems. First it lacked the legitimacy in most parts of the north and east Uganda, as it was branded a southern military government. These sentiments were a result of the north-south divide which was reinforced by all post independence leaders and the leaders of the NRA. During an interview with the drum magazine in 1985 Mr. Museveni, described the problem of Uganda as a leadership which was mainly from northern Uganda[21]. Second the core of the rank and file of the NRA were immigrants in Buganda, as such the regime could not play ethnic politics -at least for the start. Ethnic politics would alienate the bulk of its forces as they could be considered foreigners in Buganda, Luweero triangle in particular. The NRM/A responded to this dual predicament by introducing reforms which sought to disentangle territory from political rights- in particular voting rights. It pegged voting to residence rather than ethnic territory, including banning political party activities because the parties where described as ethnically based. While this offered an array of hope to the immigrant communities, it was short lived. During the elections to the National Resistance Council (parliament) in 1992 and the Constituent Assembly elections in 1993 the NRM was faced with a real political challenge to its power from the old political parties in particular Democratic Party (DP) and Uganda People's Congress (UPC).

The NRA/M responded with a solution which not only listed 56 indigenous communities in Uganda, but territorised those communities as the colonial state had done. Under the artillery of World Bank (WB) and the International Monetary Fund (IMF), the NRA/M devolved power to the districts-local administrative units. This has consequences for the state in Uganda in particular; it reduced resources at the disposal of the central government functionalies, limiting their ability to facilitate and/or manage their patron-client leadership mode. But the new reforms suffered a theoretical deficiency. The World Bank/IMF argued that decentralisation of power increases citizen participation in politics. But politics was defined to mean elections without interrogating the decision-making dynamics in decentralisation. In addition the local governments were treated as though they were political free and totally detached from the central government politics. These weaknesses have been effectively utilised by the political power elites, who have created districts along ethnic identity justifying it as a triumph of local democracy since it reflects people's demands. For example during the launch of Nakaseke district, President Museveni said;

> "...although a new district takes a lot of money, this is the democracy we fought for. People must ask for what they want and get"[22]

By imprinting it as democracy the local and national political elites are able to justify legitimise their actions of redrawing boundaries and managing identities within a particular territory. Such a politics has not only put the districts indirectly under the

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[21] *Drum,* October, 1985.pp. 9
[22] Monitor August, 8th 2005

influence and control of the central government political power elites, but it has also created opportunities for the ruling elites to maintain patron-client relations which are now institutionally and legitimately funded by government. The management of ethnic identities using the current policy of decentralisation has resulted into two divisions. First is a division between the rural and urban in a manner which prescribes culture for the former and politics for the latter[23]. The second division has happened within the territories created at the local level separating those considered indigenous and those considered not indigenous[24]. Indignity in this regard is considered culturally permanent, turning cultural identities into permanent political identities. While cultural identities are adoptive to change, political identities are not. Although it is argued that politicising cultural identities in Uganda is intended to keep cultures pure[25] the real political agency is to corruptly buy off social movements that challenge the central government, by divide up ethnic groups.

There is limited questioning of the process of reconstruction of identities since it has happened within the current democracy and good governance framework. Decentralisation feeds into existing notions of ethno-territorialism and the contested politics of belonging, prevailing in Uganda[26]. District making has entrenched the popular as well as political perception of indignity of certain groups, while excluding some ethnic groups in the districts. Subsequently, physical origin and background matters in terms of political rights. Similarly the reconstruction of identities in Uganda is masked in the notion of service provision, backgrounding ethnicity; I focus on how service provision has been used as a new catchword.

From Ethnicity to Service Provision
If the 1949, ordinance used ethnic demarcations in the creation of districts with the aim of adapting tribal institutions to constitutional reengineering guided and restrained by traditions and sanctions, then the current policy of decentralisation in particular districtisation changed the parameters. This change is in no regard aimed at reconstituting the system of decentralisation but how to make it work as and when demanded. If the colonial state used tradition to ethnicise and contain Africans, in the era of liberalisation and people-centred government; service delivery become the new catch word.

Taking over power after political and socio-economic turmoil of the 1970s and early 1980s the NRA was faced with a dare situation to which it did not have any solution. The economy was in obliterated, social service provision was a bedlam and the institutional fabric was almost none-existent[27]. The short-term response was a *de facto* retreat from funding and providing public services[28] a strategy which did not last long before the new regime was clutched. In 1987 the NRA/NRM courted the World Bank when it went

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[23] Mamdani "Politics of Democratic Reforms" In Langseth P, J Katarobo, Brett E and Munene J (eds) (1995) *Uganda Landmarks in Rebuilding a Nation,* Kampala: Fountain Publishers
[24] Refugee Law Project, (2009) Breeding Fragmentation? Issues in the Policy and Practice of Decentralisation in Uganda
[25] Moses Byaruganga (2009) "In defense of the Creation of New Districts" *Daily Monitor,* June, 01 2009
[26] Espeland, (2007)
[27] A.B.K Kasozi, 1999
[28] Reinikka and Svensson, 2005

borrowing, accepting Structural Adjustment Programmes (SAPs). These included currency, public sector, governance, and institutional reforms among others. One of the new governance reforms was decentralisation as central government was no longer considered an efficient provider of services. Based on a neo-liberal argument decentralisation was then offered as the turnkey to all governance problems experienced in Uganda. The simple logic was that the local rather than the central government is nearer and aware of the problems of the populace. This ideological disposition which borrowed much from the public choice theory aims at generating space for individual rather than community interests and demands. The individual is believed to vote with his/her feet in the local rather than in the central government.

Decentralisation is then to be guided by a neo-liberal logic whose thrust is nurturing participation that was believed non-existent in the past governments. The new theoretical disposition questioned governmental spending in the public sector, resulting into a sharp reduction of the blotted government public sector. If the public sector was viewed as traditional government, the reforms consciously and unconsciously introduced yet another lay of the public sector at the local level. As such the reforms had a downsizing and upsizing elements at the different lays of government. Imperative to note though is that since these reforms were inspired by an economical rationale, their intent was to promote the private rather than the public sector which the Washington consensus no longer needed with the end of the cold war. But in the context of Uganda there is no private sector, divorced from government. It is within the realm of promoting the private sector and local governments that World Bank neo-liberal reforms offered incentives for the government functionalies both at the local and central level to be engage in business with government. In addition the offered an opportunity for the central and local government political power elites to increase sources of rewards, but legally funded by the government. It is partly the presence of such incentives which has encouraged central government politicians to demand and cause to be demanded at the local level new territories, to which I turn to now.

Creating demand for Districts in Uganda
With decentralisation provision reverted to the local governments but over time, the quality of these services has deteriorated, for several reasons including reduced funding from the central government, increase in the administrative budget compared to service provision budget, human resource shortages and difficulties of human resource retention. Further decline in level of service provision has generated struggles over access to the limited resources in the districts. While this failure to offer services by the district is a result of an internal crisis in the districts as well as an external crisis in the politics of governance in Uganda, it is sometime played and/or perceived as marginalisation by groups. It is this sense of marginalisation which is politically manipulated when demanding for a district so as to access services and other resources.

As such those who feel distanced from the governmental apparatus of service delivery are free to demand a home district that would deliver social services more effectively and efficiently. If the national government is exclusionist, then local governments shock absorb agitations against these exclusionist tendencies. Because those who have no

access to services demand districts, they sometime become exclusionist avenues-just for those who demand them. I will not concern myself with the economics of administration, but the politics of *districtisation* in Uganda versus social service delivery and how this process polarizes Ugandans along ethnic lines that districts now represented ethnic containers.

The central government rightly argues that services must be extended to a point nearer to the people. Because the district is the highest political unit in decentralisation and a point of contact between the central government and the people it should be near. This argument has also been found popular among the excluded quarters in society. In the same melody, the central government has found space and political peace whenever, people demand for districts. For the central government it is an indication that people can hold it accountable or the people have been empowered to demand services. For the people it is a recipe for self-government. Embroiled in such arguments and demands, decentralisation in Uganda has became another form of institutionalized ethnic containerization, but appreciated by the indigenous people as it presents a form of self governance capable of providing access to political "goodies" of excluding others.

In an attempt to wrestle political power from both the national government and the ruling elites in the districts a claim to improved social service delivery is indispensable. The current policy of decentralisation was introduced amidst other neo-classical reforms-as indicated already-resulting into uncertain monthly releases to the districts from the ministry of finance to fund services. Consequently the central government managed to maintain a close control over the districts using the uncertain releases, as the district accounting officers spent days imploring the central government to fund services. Under funding of districts and the failure by the government to fully decentralise political power affected service delivery in districts especially rural districts, which had no access to funds apart from government transfers and a few local collections. The table below indicates the follow of government transfers to districts since 1997-2001

Table 1: Centre Transfers to Local Government, 1997/1998-2000/2001

Budget Item	Amount (billions Uganda Shillings)			
	1997/1998	1998/1999	1999/2000	2000/2001
Total Recurrent Government Expenditure	**729.1**	**863.8**	**993.1**	1144.8
Total Transfers to Local Governments	**204.417**	**291.495**	**331.622**	501
Conditional Grant (Wage)	101.484	143.646	165.495	199.101
Conditional Grant (non-wage)	51.15	83.461	99.507	114.156
Unconditional Grant	**51.783**	**64.837**	**66.619**	79.138
Equalization Grant			**2.0**	4.0
Development Grant				109.6

Source: Republic of Uganda (2000) Revenue Sharing Study: Sharing of Expenditure Responsibilities and Revenue Assignments, (Centre – Local Governments): Kampala, Local Government Finance Commission, pp. 34

From the above table we see that conditional rather than unconditional grants increased more. The use of conditional rather than unconditional grants has been justified as an avenue for financial accountability amidst poor human resource at the local level. But it is also true that conditional grants offer the central government an opportunity to influence local government decisions about which projects to fund and which ones not to fund or implement. It has been argued the conditional grants fund lucrative projects, some of which the central government uses to reward is clients[29].

According to the 2005 "Financial Report (Revised Copy) on the review and Restructuring of the Local Governments and Staffing Levels," prepared by the Ministry of Public Service, it costs between sh685m and sh1.031b to pay wages of district civil servants (excluding teachers), annually depending on the size of a district. The study groups districts into three different categories. In first category government spends sh685m per annum to pay the wages of civil servants, in the second category it costs sh848m per annum to pay civil servants other than teachers and in the third category it cost government 9.279b in annual wage bill. From these figures it is clear that the intention of decentralisation in Uganda at least from the side of the central government is not service delivery but rewarding her cronies and using the district infrastructure to maintain its political power. If the World Bank and other donor agencies directed government to cut her administrative expenses, in favour of local administration, local administrative units only, -districts- shock-absorbed government spending spin.

Politically the government appears less interested in a fully functioning administrative decentralisation system; as it would shift the balance of power and political rewards from the central government to the districts. The system of conditional and unconditional transfers keeps the government in control of districts at a reduced cost. Much of conditional grants funding decentralised services have increased substantially over the years, increasing the dependence of local governments on central transfers[30] undermining local governments as effective levels of service provision[31]. Hence although the process of decentralisation quickly devolved spending and service delivery it was also characterised by a centralisation of revenues[32]. Many of the mandates were accompanied by heavy conditional grants. Thus decentralisation model of Uganda resulted into a built-in rigid structure of vertical accountability, but undermined the generation of local autonomy in decision-making, planning and participation. All these have helped central government to have an avenue to influence and have clout over the districts. After the 2006, elections the Bunyoro congratulated president Museveni on his victory and put their demand for supporting him.

> "We the Bunyoro have played our role. Just as the Teso have the pressing problem of cattle rustlers, the Bunyoro have the lost counties of Bugangaizi and Buyaga. We are calling for special attention this time[33].

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[29] Crammack, et al (2006)

[30] Republic of Uganda (2000) Revenue Sharing Study: Sharing of Expenditure Responsibilities and Revenue Assignments, (Centre – Local Governments): Kampala, Local Government Finance Commission
[31] ibid

[32] Ehisham et al 2006

[33] The Daily Monitor 27th February, 2006

Another example is the decentralisation primary schools which were funded by both government and parents through Parent Teacher's Associations (PTAs). Parental contribution through PTA included levies for investment and recurrent costs, top-ups to teachers' salaries, and tuition fees. The PTA fees and top-ups to teachers' salaries were entirely school-specific and set by each school's PTA, depending on the parents' ability to pay and the needs of the school[34]. This flexibility meant that although government had a ceiling or set price it paid for every student the parents contributed as far as their pockets would support. As such in both government and private schools parental contributions were clearly the main source of finance. District education service commissions on behalf of the national teacher service commission carried out teacher recruitment. Recruitment is supply driven, as all new teachers graduating from primary teacher collages are usually hired. Although the districts hired teachers, their payroll was maintained by the central government.

Hence decentralisation did not improve the services, but shifted the burden of paying for the services from the central government to the districts and the final user. Unable to pay for the services, the state of social services gradually deteriorated. Held between a hard place and rock because of the poor state of social services society responded. The manner of this response was to demand for a district with a hope that this would improve the situation but only worsened overtime, as politicians and bureaucrats benefits in form of salaries and tenders. This demand however, had an ethnic twist to it. The explanation for the poor state of social services is not based on under funding, but ethnic exclusion whose solution is an ethnic district. The mismatch of decentralised services and funding became an issue to the public services committee of parliament, and its chairperson stressed the need for equalization which is also another form of state capture:

> "55% of Local Governments need equalization after only about 1 year in the decentralization process could be implied from the fact that services decentralized did not have matching funding"[35]

With the help of the legal and financial arrangements in place the central government has managed to put the local administration under its control, and in the same degree it has succeed in redrawing internal boundaries; in manner which reconstructs identities. Although Green argues that *districtisation* in Uganda is not intended to weaken opposition to Museveni neither it is intended to create power bases for Museveni[36]. But in his study Green does not analyse the influence of *districtisation* on political power or electoral politics. For example what is the role of the district structures in electoral politics, where there are no functional political party structures? Green rightly argues that *districtisation* has meant an increase in the sources of rewards available for Museveni. These rewards are turned into sources of votes or avenues for vote hunting. All the districts created 2005 were won by the NRM parliamentary members and the president.

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[34] Reinikka and Svensson, 2005

[35] Republic of Uganda, 1999

[36] Green (2007)

The districts created in particular towards an election help the president to compensate for any loss in other districts.

Conclusion

Boundary adjustment has been a key feature in the post-independence political power retention in Uganda. Whereas the colonial state had managed to territorise Ugandans according to the dominant ethnic, linguistic and cultural groups: post-independence governments drummed up the politics of ethnic empowerment albeit intended to divide groups. This division has petted dominant and minority groups against each other. In addition it has resulted into increased categorisation of Ugandans as native and immigrant citizenships affecting how people access rights. Electoral politics appears to offer the turnkey for construction and management of identities as it presents an opportunity for groups-both political and otherwise-to challenge the political power of the ruling elites. Boundary gerrymandering is then adopted as a strategy to divide up that challenge.

To present the alteration of internal boundaries as politically free, it is justified as ethnic and cultural empowerment, and/or service provision but the political and interests of the political elites are not mentioned. This is supported by the lack of a clear formula for adjusting boundaries in Uganda.

The current neo-liberal reforms implemented since 1980s have offered a soft landing for the government fragment the country for political interests yet justifying it has approved good practice of democratic decentralisation. This raises questions about the theoretical strength of the reforms.

Beyond the Last Frontier: Major Trollope and the Eastern Caprivi Zipfel

One night as he lay sleeping on the veranda of his residence in Katima Mulilo Major L.F.W. Trollope, the Native Commissioner and Resident Magistrate for the Eastern Caprivi Zipfel, was attacked by a nineteen year old wielding an axe. Major Trollope survived the attack and the assailant was soon arrested, but in the subsequent trial the "plum posting" that Trollope had created on the furthermost frontier of South African rule came crashing down. The trial brought to the fore that Trollope lived beyond the control of the South African administration to which he was formally subject, and that instead he had become enmeshed in the administrations of Northern Rhodesia and the Bechuanaland Protectorate. Originally appointed to Katima Mulilo to enforce South African rule in the Eastern Caprivi Zipfel, Trollope increasingly established his own fiefdom on the outer fringes of South African rule, and became evermore integrated in the administrations of countries beyond the borders of South Africa. By the time of his demise, Trollope ruled the Eastern Caprivi Zipfel in a manner that had more in keeping with the academically schooled coterie of District Commissioners of Northern Rhodesia and the Bechuanaland Protectorate, than that it bore relation to the *apartheid* securocrats of the South African Bantu Affairs Department to which he was nominally subject.

Beyond the frontier

Even amongst the arbitrarily drawn borders of Africa, the borders of the Namibian Caprivi strip are a striking anomaly jutting 500 kilometres into the African continent. Determined in the boardrooms of Europe as part of an exchange between the British and German Empires, the Caprivi strip was designed to enable the German protectorate of South West Africa access to trade and traffic on the Zambesi river; an exchange determined by maps and not necessarily the reality of navigable rivers.[1] Beginning with the establishment of the German protectorate through to the establishment of the

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[1] For a clear and detailed introduction to the Eastern Caprivi and Katima Mulilo in particular see, Wolfgang Zeller, "Danger and Opportunity in Katima Mulilo: A Namibian Border Boomtown at Transnational Crossroads", *Journal of Southern African Studies*, Volume 35, Number 1, March 2009, pp. 133 – 154. An overview of German and British administration prior to 1956 see, Major L.F.W. Trollope, "The Eastern Caprivi Zipfel", *The Northern Rhodesia Journal*, Volume III, Number 2, 1956, pp. 107 – 118. A description of the Caprivi in the heyday of apartheid see, Professor Richard F. Logan, "The People of the Eastern Caprivi", *S.W.A. Jaarboek 1972*, pp. 149 - 152.

independent Namibian state, the Caprivi strip has consistently existed beyond the collective imagination of the Namibian state.

That the Caprivi strip exists as something of an embarrassment and inconvenient appendage to the country as a whole can be gauged by the manner in which successive Namibian administrations have sought to portray the strip on its maps. The *Kriegskarte von Deutsch-Sudwestafrika* [war-map of German South West Africa] published by Dietrich Reimer in Berlin in 1904 completely ignores the Caprivi.[2] To be fair, between 1904 and 1908, the German administration had more than enough on its hands with the wars in central and southern Namibia to be overly concerned with the cartography of the Caprivi strip. None the less, the *Kriegskarte* set the standard for a large scale map of the territory as a whole. The famous "farm-map" of Namibia which has been printed in consecutive runs in a scale of 1 : 1 000 000 since 1921, portrays the Caprivi, not as an integral part of Namibia, but as a separate entity in a scale of 1 : 2 000 000.[3] The maps published after Namibian independence in 1990 have not been changed and the latest published by the Surveyor General in Windhoek in 2007 continues to represent the marginal nature of Caprivi by representing the territory as a separate entity, in half the scale of the rest of Namibia.

The marginality of the Caprivi in relation to the newly independent Republic of Namibia came to a head in August 1999 when armed members of the Caprivi Liberation Front, staged an insurrection and attempted to secede from the Republic.[4] Unfortunately for the secessionists they failed to secure the military airport at Mpacha near Katima Mulilo and the Namibian government was able to fly in military forces to suppress the secession. In the subsequent military operations Caprivians were given to understand that whatever their marginal status, they were subject and answerable to the Namibian state. Units of the Namibian Army, Police, and the Special Field Force in particular arrested,

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[2] Originally published as Kriegskarte von Deutsch-Sudwestafrika 1 : 800 000, Berlin: Dietrich Reimer Verlag 1904. Republished in 1994 by the National Archives of Namibia.

[3] On the history of the "farm-map" see, Giorgio Miescher, "Visualising Space and Colonial Settlement: The so called "Farm Map" as an Icon of Settler Historiography", paper presented at the second AEGIS conference held in Leiden, 12 July 2007.

[4] CLF refers to Trollope in its propaganda seeking to justify its specific status separate from the nation state of Namibia.

beat and tortured hundreds of people.[5] Four years after the event at least 130 people were still being held without trial, at least eleven had died in detention, and at least five were being held incommunicado at a detention centre over fifteen hundred kilometres away in the vicinity of Mariental in southern Namibia.[6]

Establishing and maintaining an administrative presence

Following its establishment on paper in 1890, it was not until 1909 that the German Empire actually established an on the ground presence in the eastern Caprivi Zipfel.[7] Essentially an enormous triangle of land defined by the *Rio Cuando* (under its multiple names of Mashi, Linyanti and Chobe) as it flows south and then north-east to its confluence with the Zambezi, the eastern Caprivi Zipfel is an enormous area of land that consists of forested Kalahari sands and extensive marshes subject to annual flooding. Not surprisingly the area was and is host to extensive stocks of wildlife, and the territory was long contested between various powers anxious to control access to the area's bountiful hunting products. Also known as the Linyanti, the territory has come to form the basis for innumerable hunting and trading legends.[8]

Whilst both the Bulozi and Batawana kingdoms contested access to the Linyanti in the second half of the nineteenth century, numerous European hunters made names for themselves in the area.[9] Frederick Courtney Selous's companion French died in a hunting accident in the Linyanti in the 1880's. In1906 Arnold Hodson (at that stage Assistant Resident Magistrate but later Governor of Sierra Leone) accompanied Resident Commissioner Sir Ralph Williams, on what was essentially a hunting trip to the

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[5] The Special Field Force falls within the terms of the 1990 Police Act. However, unlike the regular police, no educational requirements are necessary for membership of the SFF. The SFF has come to be staffed primarily by PLAN (people's liberation army of Namibia) veterans and political appointees. During operations in Caprivi they reported directly to the Head of State and not to the Minister of Home Affairs, whereby any parliamentary supervision was removed.

[6] Full details regarding the insurrection are to be found in, Amnesty International, Namibia: Justice Delayed is Justice Denied; The Caprivi Treason Trial, August 2003.

[7] As regards the intricacies of the German presence in the Eastern Caprivi, Maria Fisch, Der Caprivizipfel während der deutschen Zeit, 1890 – 1914, Köln: Rüdiger Köppe Verlag, 1996.

[8] Hugh Macmillan notes how the establishment of German and British rule "complicated the Susman brothers' trading relations with people in the two territories where trade had been unregulated". Hugh Macmillan, An African Trading Empire: The Story fo Susman Brothers & Wulfsohn, 1901 – 2005, London: I.B. Tauris, 2005, p. 102.

[9] Thomas Tlou, A History of Ngamiland 1750 to 1906: The Formation of an African State, Gaborone: Macmillan 1985. Barry C. Morton, A Social and Economic History of a Southern African Native Reserve: Ngamiland, 1890 – 1966, PhD Department of History Indiana University 1996.

Linyanti.[10] On this trip Hodson's party came upon a hunting party led by Europeans that had been hunting in the Linyanti, essentially territory subject to Imperial Germany, albeit that there was no official German presence in the area.[11] The hunting must have been particularly good, for four years later in 1910 Hodson guided the highest British official in southern Africa, High Commissioner Lord Selbourne to the Linyanti, and once again the British officials crossed over and hunted in what was essentially German territory.[12]

In 1914 the Eastern Caprivi was occupied by Rhodesian Troops guided by the cattle trader Harry Susman, becoming "the first Allied occupation of enemy territory in the Great War".[13] Administration was undertaken by the British authorities in Bechuanaland Protectorate with the area falling under the District Commissioner Kasane. Throughout the 1920s and early 1930s the area remained bereft of any form of colonial administration. As such the territory formed a magnet for poachers and hunters anxious to make a living out of the sale of dried meat, hides and ivory. In 1939 the Native Affairs Department of the Union of South Africa assumed control over the Eastern Caprivi Zipfel, and Major L.F.W. Trollope was appointed Magistrate and Native Commissioner of the area which in 1940 was formally declared to be a "native reserve".[14]

Lord beyond the frontier: Lisle French Watts Trollope

In 1951 Lawrence Green published *Lords of the Last Frontier*, being the "Story of South West Africa and its People of all Races". Three years after the victory of the Nationalist Party in South African elections, the policy of *apartheid* (known euphemistically in English as the policy of *Separate Development*) was being enforced in all of its barbarity throughout all of the territories subjected to the control of the Union of South Africa.[15] Lawrence G. Green, an extremely successful author of countless books on South Africa's popular history, was certainly not a supporter of the *apartheid* government, yet all the

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[10] Arnold W. Hodson, Trekking the Great Thirst: Sport and Travel in the Kalahari Desert, London: Fisher Unwin, 1912, pp. 148 – 173.

[11] Hodson, Trekking the Great Thirst, pp. 169 – 171.

[12] Hodson, Trekking the Great Thirst, pp. 264 – 347.

[13] Major L.F.W. Trollope, "The Eastern Caprivi Zipfel", The Nortehrn Rhodesia Journal, Number 2, Volume III, 1956, p. 113.

[14] Major L.F.W. Trollope, "The Eastern Caprivi Zipfel", The Nortehrn Rhodesia Journal, Number 2, Volume III, 1956, p. 114.

[15] Brian Bunting, 1969, The Rise of the South African Reich, London: Penguin. The complete text of Bunting's work is accessible at http://www.anc.org.za/books/reich.html.

more a firm believer in the benefits brought to Africa by the *Pax Britannica*.[16] His *Lords of the Last Frontier*, which has become a much sought after piece of Namibiana, lauded the activities of "Manning of Kaokoland", "Hahn of Ovamboland", and "Eedes of the Okavango".[17] These men, as Green dramatically noted, stood alone in bringing the benefits of the British Empire to territories, in the case of Hahn, "roughly two-thirds the area of Ireland".[18] Hahn was "deeply sun-tanned, with dark, greying hair", and gave Green "an instant impression of energy".[19] Manning, "a man among men" a "short, slightly-built adventurer" with "an extremely virile body", and Eedes, "a fair-headed, clean-shaven giant, looking ten years less than his age", whose "lion-scarred back and arms" where observed by Green "when he [Eedes] washed in the mornings" all receive ample coverage in *Lords of the Last Frontier*.[20] Unfortunately, no mention is made of Major L.F.W. Trollope, who served as Magistrate and Native Commissioner from 1939 to 1953 at Katima Mulilo in the Eastern Caprivi Zipfel.[21] That Major Trollope's posting, was beyond the "last frontier" becomes all the more evident when one realises that the Eastern Caprivi Zipfel does not even exist on the maps provided in the *Lords of the Last Frontier.* Not that Trollope was in any way lacking in distinctive physical attributes, albeit that they were not necessarily those appreciated by Lawrence Green. The British naturalist Sir Frank Fraser Darling, noted in his diary that Trollope was, "a prodigiously fat man who is a bachelor and a very cultivated type", furthermore "he is a born gardener and obviously loves doing it".[22]

In contrast to the majority of civil servants, Trollope did not pass into the oblivion of a forgotten past, instead Trollope has had the dubious fortune of making it into the numerous travel guides that cater for tourists to Namibia. *Lonely Planet* has gone to the

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[16] Writing in 1961, Lawrence Green noted, "Peace came to Africa, thanks to the efforts of various powers. I am thinking especially of the Pax Britannica in tropical Africa". Lawrence G. Green, Great North Road, Cape Town: Howard Timmins 1961, p. 17.

[17] The positive sentiments of Lawrence Green regarding these men are not shared by all. Elsewhere Patricia Hayes has torn "Cocky Hahn" from his pedestal. Patricia Hayes, '"Cocky" Hahn and the "Black Venus". The Making of a Native Commissioner in South West Africa, 1915 – 1946', Gender and History, 8, no. 3 (1996), 99. 364 – 392.

[18] Green, Lords of the Last Frontier, p. 230.

[19] Green, Lords of the Last Frontier, p. 232.

[20] Green, Lords of the Last Frontier, p. 75 (Manning) p. 246 (Eedes).

[21] Major L.F.W. Trollope, "The Eastern Caprivi Zipfel", The Nortehrn Rhodesia Journal, Number 2, Volume III, 1956, pp. 107 – 118.

[22] Diary entry for 28 September 1956, Fraser Darling in Africa: A Rhino in the Whistling Thorn, edited by John Morton Boyd, Edinburgh: Edinburgh University Press, 1992, p. 95.

extent of claiming that "the rather idiosyncratic magistrate Major Lyle [sic] French W. Trollope was posted to Katima Mulilo … long enough to be regarded as local royalty".[23] Possibly this was due to the fact that Trollope had a fully functioning flush toilet installed within a hollow baobab that stood in the grounds of his residence in Katima Mulilo.[24] Apart from leaving a toilet in tree for posterity, Trollope left a reputation that, although it exceeds the archival record, does show Trollope for what he was, a remarkable character. Thus, a specialist scientific advisor to the Namibian government in an International Court case before the International Court of Justice in the Hague, noted approvingly of Trollope:

> Eventually Trollope fell out with the newly elected National Party government in South Africa. Correspondence on file in the archives shows his increasing intransigence, which eventually resulted in an instruction to return to Pretoria. He ignored the order and when his replacement arrived, Trollope asked him if he had a permit to enter the Caprivi![25]

Shortly after Trollope died and his grave, another of Katima Mulilo's tourist attractions, lies in "the small cemetery just outside the [Zambezi] hotel gate, with its large headstone for the previous magistrate of the Caprivi LEF [sic] Trollope".[26]

On a more serious note prior to posting had been Assistant Native Commissioner in Windhoek, replaced Cocky during his leave[27], had been in contact with Southern Rhodesia in 1936.

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[23] Paula Hardy & Matthew D. Firestone, Botswana & Namibia, London: Lonely Planet publications, 2009, p. 200.

[24] G.E. Wickens, "The Uses of the Baobab (adansonia digitata l.) in Africa", in G.Kunkel (ed.), Taxonomic Aspects of African Economic Botany, AETFAT, 1979. During the guerrilla war that developed in the 1970s and 1980s South African Forces often had themselves photographed on this toilet. In the present the internet is littered with photographs of "ou Manne" revisiting the haunts of their past in the 4x4 convoys that characterize so many of these veterans in contemporary South Africa. Thus one itinerary, which includes visits to 32 Bn graves and "Fort Doppies", notes the GPS coordinates for the tree: "We have a peek at the toilet which has been built into a large Baobab tree at S17 29.329 E24 16.693", http://www.4x4community.co.za/forum/archive/index.php/t-13543.html Accessed 14 April 2009.

[25] W.J.R. Alexander, "Science, History and the Kasikili Island Dispute", South African Journal of Science, August 1999, Volume 95, Issue 8, pp. 321 – 325.

[26] Santcross, Ballard and baker, Namibia Handbook, London: Footprint Travel Guides, 2009, p. 171.

[27] NAN, LKM… L. Trollope in Katima Mulilo, 28 December 1952, to Bernard Varp.

In 1939 Trollope was appointed as Native Commissioner and Magistrate to the Eastern Caprivi Zipfel. His appointment, which even made it into North American newspapers, was made with the explicit intention that Trollope undertake action against witchcraft.[28] Indeed an official statement noted that Trollope's duties were to:

> Administer the territory, making full use where possible of native institutions, to combat the evil of witchcraft and to advise and assist in the gradual uplift of the natives.[29]

Appointed specifically to try witchcraft, Trollope got off to a good start. The very first court case that he dealt with as Magistrate in Katima Mulilo in November 1939 was one that dealt with witchcraft.[30] It was also to be the very last court case dealing with witchcraft that was presided over by Trollope until after his replacement in 1953. That is, although there were numerous court cases presided over by Trollope between 1939 and 1953 apart from one single case at the very beginning of his career there was to be not another witchcraft case, for as long as he served as Native Commissioner and Magistrate in the Eastern Caprivi Zipfel. Instead, the bulk of cases dealt with by Trollope dealt with cases of soldiers of the South African Native Labour contingent going absent without leave, being drunk or sleeping on duty, or loosing all manner of army equipment.[31]

Instead of prosecuting people for witchcraft, Trollope went out of his way to get to know the territory that had come to be placed under his jurisdiction. In his first year Trollope wrote a report that nearly fifty years later would come to form part of the prime evidence used by the Republic of Namibia in its legal wrangle with Botswana at the International Court of Justice in the Hague.[32] In investigating the frontiers of his fiefdom, Trollope came into close and sustained contact with his counterparts in the Bechuanaland Protectorate, the District Commissioners for Kasane and Maun, as well as the District Commissioner Sesheke in Northern Rhodesia. The *Trollope Redman Report* completed

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[28] "Pretoria will undertake war against Witchcraft", The Lima Times, 11 January 1940, p. 14. & "Pretoria to undertake drive on Witchcraft", The Post-Democrat, Volume 20 Number 34, 19 January 1940.

[29] "Pretoria will undertake war against Witchcraft", The Lima Times, 11 January 1940, p. 14.

[30] National archives of Namibia, Windhoek (NAN), Magistrate Katima Mulilo (LKM) 1/1/1 Criminal Cases, Record of proceedings 1939 – 1978

[31] NAN, LKM 1/2/1 Criminal Record Book 1939 – 1957 january

[32] International Court of Justice, "Case concerning Kasikili/Sedudu Island (Botswana/Namibia)", Memorial of the Republic of Namibia, 28 February 1997, pp. 202 – 203. Appendix 58 L. Trollope, Report on the Administration of the Eastern Caprivi Zipfel, 1940.

by Trollope and D.C. Maun in 1948, determined the ICJ's ruling in favour of Botswana, whilst it also emphasises the close working relationship Trollope had with his counterparts in the Bechuanaland Protectorate.[33]

It is in correspondence with his colleagues that one clearly sees Trollope's close links with his fellow officers in the immediate vicinity of Linyanti. In itself this is not surprising, given the distances involved, but what is surprising, is the fact that in effect Trollope maintained closer links with colonial officers in three separate and distinct colonial territories, than that he maintained links with his formal employers, let alone the formal administrators of the mandated territory of South West Africa, of which the Caprivi Zipfel was formally an integral part.

By force of circumstance all post to Trollope in Katima Mulilo was delivered to the post office in Sesheke, Northern Rhodesia, on the opposite bank of the Zambezi river; it was however a conscious choice on the part of Trollope to negate any reference to the Mandated territory of South West Africa, or the Union of South Africa, in any of his formal correspondence. The formal date stamp used by Trollope as Native Commissioner noted his address as: "Native Commissioner; Eastern Caprivi Zipfel; Katima Mulilo; P.O. Sesheke; Via Livingstone Northern Rhodesia". It is understandable that colleagues, friends and acquaintances, writing to Trollope should negate any reference to SWA or SA, yet the same cannot be said for Trollope. In addition in his formal correspondence Trollope provides no indication what ever that he should be part of the formal jurisdiction of the Union of South Africa in the Mandated Territory of South West Africa.

In this he stood in stark contrast to the administrators appointed by the apartheid regime after the election victory of the Nationalist Party in South Africa in 1948. In contrast to these administrators, who were subject to a regime that was riven through with modernisation were directly controlled and centrally led from Pretoria, Trollope could and did choose to very much as he wanted in Caprivi.[34] Formally appointed as Native

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[33] Alan Perry, "Caprivi Strip: World Court Awards Island to Botswana; International Court of Justice Case concerning Kasikili/Sedudu Island (Botswana/Namibia)", IBRU Boundary and Security Bulletin, Summer 2000, p. 83.

[34] Folloeing the Nationalist Victory, all administrators were issued with the same orders and expected to enforce the same policies, irrespective of where they were within the Union of South Africa and South West Africa. Thus for instance, Trollope's successor received reams of documents and policy guidelines relating to "influx control" and the employment of domestic servants that had no bearing what so ever to the rural setting of Katima Mulilo on the fringes of South Africa's jurisdiction.

Commissioner in charge of the Native reserve of Eastern caprivi Zipfel Trollope could and did choose to simply ignore what ever directives that were not to his liking, and, instead, indulge in idiosyncrasies that were more to his liking. One such indulgence involved the building of a lavatory in the bowels of the Baobab tree that stood in the garden of his residency in Katima Mulilo. For the purposes of building this famous "laver-tree" Trollope was able to enlist the services of a work crew led by Chris Conradie of the Public Works Department in Northern Rhodesia.[35] Exactly how it came to be that the Public Works Department of Northern Rhodesia could come to be deployed in Eastern Caprivi, formally a different territory and not subject to the jurisdiction of Northern Rhodesia is not to be found in the archives, but illustrates the manner to which Trollope and his fiefdom functioned within the ambit of Northern Rhodesia and not South Africa, let alone South West Africa.

Stationed in Katima Mulilo Trollope showed little interest in the formal administration of taxation and labour censuses of the population of the Eastern Caprivi; instead he maintained an intensive stream of correspondence with museums, natural history museums, anthropologists, and scientific societies around the world. Trollope's interests ranged far and wide, from the taxonomy of Flora and Fauna, to the perceivded ethnographic details of various tribes, to the mythical "lost city of the Kalahari". The extent to which the Eastern Caprivi came to be seen by his correspondents as Trollope's personal fiefdom can be gleaned from this correspondence. Thus in writing to Trollope in 1950, the keeper of antiquities at the National museum of Southern Rhodesia in Bulawayo, Roger Summers, noted:

> Your information clears the matter so far as your own – caprivi strip – Subia are concerned and I have asked Mr. Desmond Clark to make further enquiries about the remnants of this tribe…[36]

Similarly the District Commissioner in Maun, Bechuanaland Protectorate, R.A.R. Bent, wrote to Trollope:

> I have had news of your frequently, and gather that you are flourishing in your beloved Caprivi, having spumed [sic] the flesh pots elsewhere.[37]

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[35] The Chiel "On the Chain Gang", Daily Dispatch, Friday 21 January 2000, http://www.dispatch.co.za/2000/01/21/editoria/CHIEL.HTM; Accessed Wednesday 19 August 2009
[36] NAN, LKM… Roger summers, Bulawayo 10 March 1950, to Major Trollope.

In correspondence with Trollope, Desmond Clark, archaeologist and curator of the Rhodes-Livingstone Museum in Livingstone, Northern Rhodesia, addressed Trollope as though he were within Northern Rhodesia.[38] Trollope's detailed knowledge of western Northern Rhodesia comes to the fore in his correspondence with Tim Brent, the Veterinary Officer in Mongu, Barotseland. In a letter Trollope dealt with and questioned some of the particulars of the "Carp Expedition" that had passed through Barotseland, noting that he, Trollope, had visited practically of the villages north and south of Singalamwe; i.e. all of the villages along the Zambezi in Western Barotseland.[39] Whilst Trollope in his correspondence with all and sundry listed his address as being in Northern Rhodesia, he clearly felt himself to be beyond the Union of South Africa. Thus in a letter to Bernard Carp, who had led an expedition through the are, Trollope, in referring to fauna noted "it does not resemble very much the bushpig of the Union", thereby explicitly placing himself beyond and outside of the confines of the Union of South Africa.[40]

The Fall

> P.S. Was extremely sorry to hear about your recent very nearly expiral, but very glad indeed to hear you are alright.[41]

Major Trollope, was a confirmed bachelor, as a newspaper article delicately mentioned, "he never married but was assisted in entertaining his many guests by his sister, Alice".[42] In the course of his stay in Katima Mulilo Trollope became acquainted with a young man named Anderson Luendo, whom he provided with clothing and paid school fees for. Luendo, however, turned out to be a bit of a dark horse and Luendo was arrested and convicted of housebreaking in Sesheke, Northern Rhodesia, on the northern bank of the Zambezi river directly opposite katima Mulilo.[43] In 1952 Luendo, who was at that stage 19 years of age, was arrested by Trollope and placed in the magisterial lock-up in Katima

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[37] NAN, LKM… R.A.R. Bent, Maun 18 September 1952, to Trollope.
[38] NAN, LKM… J. Desmond Clark, Livingstone 21 July 1952, to Major Trollope.
[39] NAN, LKM… L. Trollope, Katima Mulilo 31 October 1952, to Tim Brent.
[40] NAN, LKM… Trollope, Katima Mulilo, 12 September 1952, to Carp.
[41] NAN, LKM… Desmond Clark, Livingstone 26 November 1952, to L. Trollope.
[42] http://www.dispatch.co.za/2000/01/14/editoria/CHIEL.HTMAccessed Wednesday 19 August 2009
[43] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53.

Mulilo. Exactly why Luendo was arrested, is not evident from the subsequent court case, and Luendo was never formally charged following his initial arrest by Trollope.

In Luendo's own words he was confined to prison for "about three months without trial, and was given the job of looking after cattle which did not belong to the Government but to the magistrate Major Trollope".[44] Luendo's subsequent statements, as well as those of the magistrate who came to replace Trollope, A.B. Colenbrander, indicate that detention in the Katima Mulilo lock-up depended to a large extent on the co-operation of the arrested person.[45] In his statement Luendo noted that whilst in prison "I used to go to work about 6.0 a.m and I came back about 1.0 pm. The policeman then shut me up in the cell until 4.0 pm when I had to go back to work. I ate at about 5.0 p.m. Sometimes he opened the cell and got me to cook for him".[46] Luendo continued and stated, "the reason why I escaped from the Caprivi prison was because I did not get on well with the policeman who was in charge of me". In addition, Luendo noted that:

> It was because of this long waiting without trial that I felt angry. So, one Sunday night I took an axe. I took the axe not because I intended to kill Major Trollope but because I wanted to make him feel pain because he had made me feel pain…[47]

On the night of 27 October 1952 Luendo attacked Trollope with an axe.

In the trial of Luendo, Trollope recollected what had happened on that fateful night in October 1952. Sharing a house with his sister, Trollope slept on the enclosed verandah on the east side of the house whilst his sister slept in a room on the west side of the house. Trollope's bed was near to the famous Baobab water closet in which a paraffin lamp had been placed as night light. Trollope recounted that he had gone to bed at "the normal time", had read for about 1 to 1½ hours, had put out the light above his head and fallen asleep "almost immediately".[48] In the words of Trollope:

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[44] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by Anderson Luendo in the presence of A.L.H. Weller, Magistrate Sesheke District 6 November 1952

[45] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. See Colenbrander's calls for the deportation of Luendo to Mafeking as he is worried about his and his wife's safety in Katima Mulilo.

[46] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by Anderson Luendo in the presence of A.L.H. Weller, Magistrate Sesheke District 6 November 1952.

[47] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by Anderson Luendo in the presence of A.L.H. Weller, Magistrate Sesheke District 6 November 1952

[48] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by L.F.W. Trollope, 22 January 1953.

> My next recollection is wakening up during the night by feeling a violent pain in my right side. … The pain was considerable and my senses confused but my first clear recollection is that I found myself standing next to my bed with the axe Exhibit I in my hands…[49]

Trollope survived the attack, and in the following morning a fully loaded revolver, belonging to the gaol guard, was found lying outside the door next to Trollope's bed. Trollope came to be confined to bed for two days and was in considerable pain for the weeks after. A few days later Trollope saw the accused wearing clothes "which belong to me and are some of those I issue to my house boys".[50]

In the event Anderson Luendo was found guilty and sentenced to a prison term with hard labour for nine months and eight strokes.[51] Trollope never recovered from the attack and died four years later whilst undergoing medical treatment in Bulawayo.

Hard borders

The attack on Trollope heralded the ending of his reign in Eastern Caprivi. In the aftermath of the attack Trollope came to be replaced by a new magistrate, A.B. Colenbrander, who, in contrast to Trollope, was prepared to vigorously pursue an anti-witchcraft campaign in the area. In the years that followed, the apartheid regime vigorously pursued a programme whereby the Eastern Caprivi came to be separated from the surrounding territories of Bechuanaland, Northern and Southern Rhodesia. Postal services were re-routed via Windhoek. In 1958 the *Naturellekommissaris* (Native Commissioner) wrote to the Secretary for Native Affairs Pretoria suggesting that military aircraft patrolling the borders of the Union of South Africa should deploy a detachment of five or six instructors of the South African army to:

> Provide a small scale display of the use of machine guns and mortars under conditions of war. [52]

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[49] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by L.F.W. Trollope, 22 January 1953.
[50] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Statement made by L.F.W. Trollope, 22 January 1953.
[51] NAN, LKM 1/1/3 1946 – 1953, Katima Criminal Cases, No. 2004/53. Warrant of Committal Katima Mulilo 10 March 1953.
[52] NAN, LKM… Naturellekommissaris, Oostelike Caprivi Zipfel, 8 Januarie 1958, to Sekretaris van Naturellesake, Pretoria. JBG's translation.

According to the Native Commissioner this display would have "healthy impact on the psychological condition of the natives on the other side of the border". [53] Whereas previously the District Commissioner Sesheke on the northern bank of the Zambezi had maintained contact with the Magistrate Katima Mulilo on the opposite southern bank of the Zambezi, and the two had visited one another at will, henceforth the Magistrate in Katima Mulilo had to inform the District Commissioner Sesheke:

> In so far as granting permission for what I presume will be a party to visit the area concerned I regret that I have no authority to do so but feel certain that if an application is submitted from your side to the secretary for Bantu Administration and development, P.O.Box 384, Pretoria, he will grant you the necessary authority.[54]

Less than ten years after the assault on Trollope, the Eastern Caprivi had effectively and consciously been cut off from Sesheke. The independence of Zambia in 1964 and the subsequent Bush War that would finally end in 1990 ensured that what had been a soft border became a hard border. Any association by administrators subject to the wishes of Pretoria with administrators subject to the wishes of Lusaka were vigorously discouraged.

Conclusion

Formally in the employ of the administration of the mandated territory of South West Africa, Trollope, who had been Assistant Native Commissioner in Windhoek before hand, literally served as Magistrate and Native Commissioner beyond the "last frontier" for fourteen years. Although nominally in the employ of an administration that was presided over by a government in that sat in Cape Town and Pretoria, in practice Trollope had become, by the end of his tenure in Katima Mulilo, lord of his own domain, and far more integrated into the administrations of Northern Rhodesia and Botswana than the Union of South Africa. The move into power of the Nationalist Party of South Africa brought about a far-reaching change in the Eastern Caprivi. No longer was the Eastern Caprivi allowed to be administered by the whims of a single person, instead the territory was consciously wrested free from the surrounding territories and subjected to direct rule

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[53] NAN, LKM… Naturellekommissaris, Oostelike Caprivi Zipfel, 8 Januarie 1958, to Sekretaris van Naturellesake, Pretoria.
[54] NAN, LKM… Magistrate Katima Mulilo 23 March 1961 to The District Commissioner Sesheke.

enforced from Pretoria. Soft borders, which had allowed the free movement of administrators and people back and forth across the Zambezi, came to be replaced by a hard border, which from 1966 to 1990 came to be enforced by military might.

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Borders Issues and Borderlands Dynamics in Eritrea, 1890-1952

Francesca Locatelli

The 'unsolved' issue of the Eritrean borders and the consequential violence it generated in the area still capture the attention of international news and remain important issues in the political agenda of the international organisations. The UN resolution 1430/2002 seemed to find a 'solution' to the question of border demarcation between Ethiopia and Eritrea which led to the bloody war of 1998-2000, but its rejection from the Ethiopian side rejuvenated tension between the two countries. The 1998-2000 trench war between Ethiopia and Eritrea contributed to provide an exclusively *territorial* feature to the question of international borders between the two countries, living aside the wider picture behind the lack of their physical demarcation, whose origin dates back to the Italian colonial period. Other cases in Africa which lacked border demarcation have not experienced the same violent development of the Ethiopian and Eritrean case.

How to interpret therefore the violent development of borders making processes (and borderlands dynamics) in Eritrea?

1. Introducing a longitudinal analysis in the question of borders in the Horn. The lack of historicization of the 'borders issue' led to several generalisations in present day international public opinion (see for instance the most obvious statement about the war 1998-2000 according to which it was a 'war for nothing').

2. Understanding borders not (or not only!) in their territorial dimension, but in their totemic function in the process of nation-state formation and territorial integrity. Historically and present day.

3. Placing the emphasis on economic, social and political processes at borderlands alongside territorial borders and the relationship between borders areas and central state and local authorities.

4. Understanding borders and borderlands processes in their international, national and local dimension. Structures and agency are the notions deployed in the analysis of borders areas and their challenge, as well as interaction, with the central state.

My paper examines some of the aforementioned aspects of borders-making processes and borderlands dynamics between Ethiopia and Eritrea from the origin (end of 19th century/colonial period) to the 1950s (period of decolonization). Main question of the paper: what is the nexus between borders/borderlands dynamics and the escalation of political violence and militarization of the area (Ethiopia-Eritrea) during the period under consideration? The historical trajectories of these processes have never been properly examined, despite their consequences on present day relationship between the two countries (in particular the 1998-2000 war that still left the problem of borders unsolved). The ways these processes developed in Eritrea present similarities, but also major differences with other African contexts. It is mostly on the differences that this presentation focuses (the paper, if requested, will provide details on both).

<u>Differences between Eritrean colonial borders and borders in other African countries</u>: Eritrean borders with Ethiopia are the result of a war between Italy and imperial Ethiopia (which ended with the Italian "humiliating" defeat at Adwa in 1896) rather than diplomatic agreements among European countries involved in the Scramble for Africa. The particular origin and development of Eritrean borders with Ethiopia had a strong impact on processes of identity formation (in both Ethiopia and Eritrea), which strongly reflected the notions of alterity and enmity symbolised by the national borders. In the paper I will provide examples on the extent to which these notions were embodied in popular culture, administrative language and political values and practices, and will examine the creation of "cultural boundaries" which led to forms of exclusion of people from "oltreconfine"/"across the border". The creation of these cultural boundaries, whose legacy is evident in present day conflictual relations between Ethiopia and Eritrea, force us to rethink at borders not only as territorial markers, but as "institutions" and "processes" (see Donnan and Wilson, 1999: 5) which "delimit state sovereignty and rights of individual citizenship" (p.5), and as "instruments of state policy" which are "indispensable elements in the construction of national cultures" (p.5).

<u>Differences between borders/borderlands dynamics in Eritrea and other African countries in the era of 'decolonization'</u>: the process of 'decolonization' in Eritrea left

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issues of borders and internal cultural boundaries unsolved. In Eritrea 'decolonization' was implemented by a temporary British administration that 'liberated' the country from Italian colonial domination, did not have any particular interest in the country and tried to exploit it for post-WWII international strategies (for example the partition of the country was among the first British ideas on the future of the ex Italian colony, an idea probably informed by the policy of Partition in South Asia). The transitory nature of the new administration, the economic and social unrest of the post-WWII period and the problems inherited by the previous colonial administration generated an unprecedented escalation of political violence expressed through 'banditry' activities, actions of warfare at the borders and riots in urban areas. In my paper I will give particular attention to the analysis of the development of certain forms of banditry activities at borders areas, which highlight the potentials of borders areas as location of development of autonomous social and political dynamics. To use Baud and van Schendel words they became 'unruly' and in the case of the Western lowlands of Eritrea 'rebellious' borderlands (this area was exposed to economic, social and cultural interchanges with Sudan). It is from the latter that the most serious challenge to the state emerged. Here bandit groups, led by well known 'bandits' such as Hamid Idris Awate, continued their activities up to the 1950s. Most importantly in the 1960s following the annexation of Eritrea to Ethiopia, Hamid Idris Awate "gained lasting fame for firing the first shot in the Eritrean nationalist revolution" (Markakis). Defined by contemporary sources as "acts of terrorism" against the British administration, these phenomena on the contrary highlighted a high degree of politicization, expressed competing claims over political power and rights of citizenship and finally testify several continuities between political violence developed in the colonial and post-colonial periods.

UNRECORDED TRADE IN IMEKO-AFON AND AJASSOR – MFUM-MAMFE: AN ANALYSIS OF UNRECORDED TRADE AND MARKET INTEGRATION IN TWO AFRICAN BORDERS.

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1.1   Preamble:

Throughout most of African borders, alternative economic systems are known by various names, such as, informal, underground, parallel, unrecorded or second economies that operate along side official ones. This phenomenon is so wide spread and integrated into the daily functioning of these economies that it has become a subject of concern to national governments, policy planners, international financial institutions and development agencies.

The empirical data presented here focus primarily on the unrecorded trade in Imeko-Afon-Nigeria-Benin Border, and Ajassor-Mfum – Mamfe, in the Cross River eastern borderlands with Cameroon. The data for this study was collected during field research work from August 2008 to October 2008 and March to June, 2009 for Ajassor – Mfum – Mamfe.

Methods of research consisted primarily of intensive interviews with the traders, middlemen, drivers, boat owners, participant-observation, focusing on activities which the field worker could make use of contacts and networks established in the course of previous research.

In these borderlands the volume of unrecorded trade unmeasured by the national accounts is an indication of the primacy of researching into this phenomenon than placing emphasis at the official level. It was discovered that there is a link between the official and unofficial patterns of trade – an individual or groups may participate in both, while the same commodities may be traded by the two in the process of successive transactions. In some cases the same routes for official and unofficial or unrecorded trade are used.

The government of both countries are aware of the enormity of unofficial trade transactions along and astride their borders. The law enforcement agencies, customs, immigration, police and the gendarme have become

"participants" in this unrecorded trade, therefore rendering the state-centric notion of smuggling across borders an anachronism. The causes, consequences, organization, profits, including the factors that motivate people to participate in the unrecorded trade and the nature of its relationship with the official economy is indicated. Transactions are partially covert, cowed, and records of these activities are not known to governments. This also presents a difficult task to researchers who cannot compute the profits made in most transactions since the selling prices of the items traded would depend on the purchases by the final consumers. However, data obtained from both borders on a comparative basis point to the fact that enormous profits awaits the dealers to the detriment of their national governments.

In these borderlands as elsewhere, ancient trade routes were established between natural regions offering differing resources. The people were linked in trade networks extending vast distances through land, sea and river systems. The French, British and Germans (later France in the case of Anglo-French condominium over Cameroon), imposed boundaries, tariffs, trade restrictions and price controls, but the splintered groups resisted the imposition of these barriers and continued to trade across borders with each other, revising ancient routes and market places, bypassing the official distributive channels. Their pre-colonial patterns of interaction, organization of trade further affield through co-operative networks were defined as illegal..

This development did not prevent them from continuing their trade following old trade routes and operating outside the official national economies which they now found themselves. Different colonial policies such as taxation, trade restriction, forced labour, differential price system, banning of certain items enabled people to cross the borders either to evade taxation or forced labour and to avail themselves of the opportunities on the other side of the border. These routes have endured the colonial partition and have been galvanized and functionalized to facilitate the development of unrecorded transborder trade.

According to a recent World Bank Report, intra-regional trade in Sub-Saharan Africa, and overall intra-African trade has remained around four percent of total trade. Recently, the World Bank study identified progress toward regional market integration as central to long-term development strategy in Africa.

It also points to the failure of co-operation through formal regional economic organization.   The wide spread trans border unrecorded trade in Africa suggest that micro-economic market integration is taking place at the un-official level.

Historically, this unrecorded trade has defied the barrier function of boundaries and represents the sovereignty, percolating realities not only of African boundaries but, a crucial factor in any assessment of the economic realities in Africa.   Though this phenomenon is not new, and has been treated in older studies, the intensity and increase has become more worrisome. The unrecorded trade appears to have assumed more vitality and vigour with the current economic crises countries are encountering. The poor performance of institutions for regional economic integration in Africa, and the failure of national economies to accommodate the unemployed suggests that the unrecorded trade be legalised to become part of formal economic activities.

The benefits of this unrecorded trade are enormous and can assist in resolving some of the problems which the formal sector has not been able to resolve.

2.1   INTERNATIONAL TRADE AND THE NATURE OF BORDERLANDS.

The classical and neo-classical theory of international trade is not adapted to the study of unrecorded border trade because it is oriented towards the notion of equilibrium. Its main postulation centre around the fact that both trading partners gain from the exchange – that any disequilibrium will be corrected by the re-equilibrium "forces" . The theory was not designed to deal with economic inequalities, and cannot explain the existenc of under-development or the process of development.

In the same vein, modern version of international trade theory emphasizes the generalization of free trade in order to promote world well-being. The notion of homogeneous markets bears little resemblance to the realities of most border regions.

Border regions are influenced by particular geographical, political and economic conditions. Though neither   Walter Christaller or August Losch developed a systematic theory of border regions, both tended to regard them as

disadvantaged areas because of barriers to international trade and the threat of military invasion [1]. Christaller and Losch (1981).

It is beyond the scope of this paper to elaborate on Christallers general theory, but certain features of his thesis are relevant. He employed, the term "central place" to denote, all urban agglomerations (centre) and pointed out that there   is a mutual interdependence between any central place and its complementary region (Periphery).

Furthermore, he recognized a system of spatial organization based on the "sociopolitical separation principle". This separation arises when there is a strong notion of community, defense and protection.

The analysis of Losch centered on the fact that border regions encounter special problems, because of   the conflict between political and economic goals of the borderlanders and the desire by their states for strict political and economic control.

Losch, argued that it is characteristic of national frontiers (borders) to hamper the crossing of boundaries by market areas, to create new gaps in a market network where none existed, and to discourage industries from settling near a boundary, where they often would have a market in one direction only. Losch asserts that the presence of a boundary is associated with tariffs to separate economically complementary, market areas, differences in languages, and national character, customs duties, "official traffic" and   are militarily vulnerable.

In Edgar Hovert's economics of location, tariffs and other restraints on international trade increases the transportation costs, distort market areas and supply networks, and this increases the cost of producers near borders. Consequently, producers are ready to shun the territory near a trade barrier (borders) which would curtail their market or supply area, and locate in an area that is more central relative to domestic markets [2]. Edgar (1981).

It is clear from the literature of location theory that border regions will be weakly developed because they are unattractive for many formal economic activities. The conclusion that may be drawn from the postulation of location theorists in relation to international trade is that the existence of tariffs does not necessarily cause a diminution of economic activities in border regions particularly at the unofficial level. The underdeveloped nature of border regions have given rise to a systematic and increased unofficial trade across borders.

Border regions may be defined as sub-national areas whose economic and social life is directly and significantly affected by proximity to an international boundary.

Asiwaju's study reveal many points of comparison between African and North America, Western European borders. In his analysis of U.S. – Mexico – border and borderlands situation on each of Nigeria's international boundaries, he noted, that:

> *"the asymmetry in the economies and the traditions of mutually opposed policy have continued to sustain contraband and fraud as dominant characteristics of the border economy vis-à-vis the neighbouring countries [3]". Asiwaju (2004).*

He asserted further that the established tradition of policy disharmony on the Nigerian side as opposed to the other sides of boundaries "shared" with neighbouring countries, is in the strong convergence of support they lend to the overall culture of whereby what "we" forbid is almost always what they "permit".

In his illuminating research publication titled, "The Border as a Locator and Innovator of Vices", on U.S.-Mexico borderland, Bowman has provided us with an experience that is shared across the wider-world of nation state territory and boundary: that its age long roles and functions as institutionalization of difference, a boundary between sovereign states tend to take on the roles and functions of "creator and "sustainer of crimes"[4]. Bownam, (1994).

Luspha's essay on the "border underworld" draws attention to the vexed issue of border criminality which though basically on the U.S. Mexico border and borderland data, bears relevance to most African border situation. His emphasis on the factor of the inherent interconnection between the "border underworld" and what he called the "upper world players" involved in the "legitimate" sector of the society is easy to discern in the criminal behaviour along and astride our borders. [4] Luspha (1985).

In his analysis, Asiwaju noted for example, the activities of organized narcotics traffickers and organized illicit cargo transporters, and financers made

up of businessmen, professionals and bankers who provide the capital for under world business transactions. The role of bridge is performed by "contractors" who work as "middlemen", linking "border under world with "upper world players".

The involvement of legitimate business and commercial sectors in cross-border economy of contraband naturally involves the border communities and the criminal, definitely affects both sides of the borders.

Unlike the Nigerian-Benin border the Nigeria-Cameroon border is the segment is the least developed, under politiced, isolated with a difficult terrain giving it a unique character as an "asylum" for all sorts of criminals and unrecorded trade transactions.

The borders in focus separated the Yoruba between Nigeria-Benin Republic, the Boki, Ejagham and Becheve Akwaya, placing them in Nigeria and Cameroon. These common ethnic, socio-cultural and religious affinities on both sides of the border have defied this arbitrary separation. Border people continue their age long old socio-economic and cultural relations which makes it difficult to check movements of peoples across the countries borders.

These factors while encouraging the maintenance of decade old trade, economic and other relations have made it easy for the second economy or unrecorded trade to thrieve including border criminality.

The disparity in economic growth and development between Nigeria - Benin-Cameroon and resource endowment, including policy changes particularly in Nigeria has enabled cross-border unrecorded trade to blossom. The background to Nigeria–Benin-Cameroon trans border relations is embedded in their historical development. [5] Bochuk (1999).

Nigeria is the most populous country in Africa with huge resource endowment. After the civil war there was an economic boom, with petroleum as the mainstay of the Nigerian economy. Despite this fact, the oil boom turned out to be an albatross, if not a curse, for the country. The successive governments became exceedingly ambitious and criminally extravagant. In less than a decade, the euphoria of the oil boom was gone. What followed were abandoned projects, staggering debts, a general fall in living standards, occasioned by rural urban migrations, poverty, unemployment, etc.

Benin-Cameroon are not as endowed as Nigeria but has suffered from centralization of power, poor economic performance resulting into severe unemployment, political restiveness and a vexed Anglo-French divide in the case of Cameroon.

Both countries economies are more competitive than complimentary resulting in the demand for more Nigerian manufactured and industrial goods pharmaceuticals, petroleum products, textiles, second hand clothings and shoes, mostly from Lagos, Ibadan, Abeokuta, to Benin and Aba, Onitsha and Owerri via Ikom, Ajassor, Mfum-Mamfe to Cameroon[6]. Bonchuk (2002).

Other goods traded between the two include cocoa, rice, bush mango, French wines and hot drinks, foams, roofing sheet, locally known as "Cameroon Zinc", pirated Makossa disc, shoes, etc.

From the Imeko-Afon axis of the Western border with Benin Republic, perhaps the most industrialized border and borderland in Nigeria, can be found all sorts of sophisticated second hand cars locally known as "tokumbo", vegetable oil, rice, etc.

These articles of trade pass through cheek points and road blocks, while some are taken through bush paths, riverine water systems and are unrecorded The volume of this trade is so enormous because it take place daily, day and night with an organized system of receivership in cities such as Abeokuta; Lagos, Ibadan in the west, and Mamfe, Kumba, Limbe, Doula in Cameroon[7].

The nature and character of unrecorded trade across these borders negate the concept of inter-national trade. In these transactions and exchanges, the states are denied of revenue which ought to accrue to them, therefore, international trade cannot give significant guidance with respect to border and borderland region problems, as the empirical data of the study indicates.

2.2 EMPIRICAL DATA: UNRECORDED TRADE ACROSS IMEKO-AFON: NIGERIA-BENIN BORDERS

ARTICLES OF UNRECORDED TRADE AT IMEKO-AFON

(a) vegetable oil   (b) rice   (c) second hand cars (tokumbo),

(b)   <u>Sources:</u>

Thailand, Indonesia, India, France, Malaysia, Australia. South Korea,

(c)   Pool/Entyry Points

     Cotonou   –   Lome

     (Benin Republic)   (Togo)

(d)   Destination/Supply Routes

     Imeko   -   Afon   -   Abeoukuta

     Ibadan   Lagos -   Benin -   Abuja

     To other parts of Nigeria.

TABLE ONE: Quantity of vegetable oil traded at Imeko-Afon   Nigeria-Benin Border

mode of trans	no of trips	qty carried	Destination	Unit Cost	selling price	total qty	Total unit price	Unit Selling price	Total profit	1Yr period
Cars	2	60	Abeokute	4650	5500	120	558000	660000	102000	1224000
Bus	2	100	Ibadan	4650	5500	200	930000	1100000	170000	2040000
Truck	1	450	Benin	4650	5500	450	2092500	2475000	382500	4590000
			Totals	13950	16500	770	3580500	4235000	654500	7854000

TABLE 2: Quantity of rice traded at Imeko-Afon Nigeria-Benin Borders

mode of trans	no of trips	qty carried	Destination	Unit Cost	selling price	total qty	Total unit price	Unit Selling price	Total profit	1Year period
Cars	2	60	Abeokute	5800	7500	120	696000	900000	204000	2448000
Bus	2	100	Ibadan	5800	7500	200	1160000	1500000	340000	4080000
Truck	1	450	Benin	5800	7500	450	2610000	3375000	765000	9180000
			Totals	17400	22500	770	4466000	5775000	1309000	15708000

Second Hand Cars, Imeko-Afon: Nigeria-Benin border

     Source: From various European nations particularly Belgium, Germany, U.S.A. and Asian countries such as Japan, South Korea. Their costs differ, depending on the age of the vehicle and bargaining power of the consumer. Their freight depend on the distance, while the profit margin is difficult to determine.

(B)   Ajassor-Mfum-Mamfe

     Nigeria – Cameroon Borders

The isolated nature of the border, including its under developed nature – no automobile speed highway, industrial concerns, electricity or the presence of modern indices of modernity have actuated a steady and varied flow of cross border unrecorded trade along Ajassor – Mfum – Mamfe borders into Cameroon.

Articles of Unrecorded Trade at Ajassor – Mfum-Mamfe Borders:

Sources

(i) Petroleum (ii) Rice (iii) Bush-Mango (iv) Used/Second hand clothings/shoes

TABLE 3: Quantity of petroleum traded at Ajasor-Mfum-Ekok

mode of trans	no of trips	qty carried	Destination	Unit Cost	selling price	total qty	Total unit price	Unit Selling price	Total profit	1Year period
Cars	3	30	Ekok-Mfum	5200	7500	90	468000	675000	207000	248400
Bus	1	60	Limbe	5200	7500	60	312000	450000	138000	165600
Truck	3	33000	kumba/douala	5200	7500	99000	5.15E+08	7.4E+08	2.3E+08	2.73E+
Canoe	3	100	Limbe	5200	7500	300	1560000	2250000	690000	828000
			Totals	15600	22500	99360	5.17E+08	7.5E+08	2.3E+08	2.74E+

Source: Owerri; Aba, Uyo; Calabar; Ogoja; Ikon; Ajasor-Mfum ro Cameroon.

TABLE 4: Quantity of cocoa/bush mango traded at Ajasor-Mfum-Ekok

mode of trans	no of trips	qty carried	Destination	Unit Cost	selling price	total qty	Total unit price	Unit Selling price	Total profit	1Year period
Cars	3	14	Ekok	20000	50000	42	840000	2100000	1260000	151200
Bus	2	100	Manfe	20000	50000	200	4000000	1E+07	6000000	720000
Truck	1	150	Manfe	20000	50000	150	3000000	7500000	4500000	540000
			Totals	60000	150000	392	7840000	2E+07	1.2E+07	1.41E+

Source: Ikom – Boki – Ajassor to Cameroon.

Article of Trade

Roofing Sheets (Cameroon zinc) mattresses, pirated makossa music, wine/hot drinks, French shoes

Source: France, London to Doula – Mamfe – Limbe into Ekok – Eyumojok into Ajassor – Mfum-Ikom-Ogoja-Obudu.

Table 5 : Quantity of rice traded at Ajassor – Mfum – Ekok

mode of trans	no of trips	qty carried	Destination	Unit Cost	selling price	total qty	Total unit price	Unit Selling price	Total profit	1Year period
Cars	3	30	ekok	10200	12000	90	918000	1080000	162000	1944000
Bus	2	80	Manfe	10200	12000	160	1632000	1920000	288000	3456000
Truck	1	250	Duala	10200	12000	250	2550000	3000000	450000	5400000
			Totals	30600	36000	500	5100000	6000000	900000	10800000

Source: Lagos; Aba; Calabar; Owerri; Uyo abakaliki; Port Harcourt into Ikom; Ajasor-Mfum to Cameroon

Secon hand/used clothings/shoes

Source: London, France, U.S.a. into Lomoe-Togo-Lagos-Portharcourt, Owerri, Aba,Onitsha-Calabar-Uyo Ikom Ajasor-Mfum to Cameroon.

The cost per bail of used or second hand clothing or shoes differ depending on the grade of the goods. The highest grade (A) cost at about N1000 – N70,000 while grade (B) cost at approximately N80,000 to N35,000.00. the profit cannot be calculated because of the variation in prices of each item

Source: Field work at Ajassor – Mfum-Ekok

2.3. **Data Analysis / Discussion**.

The products traded and unrecorded in order of importance are: From various sources in France, Indonesa, India, Malaysia into Cotonuo and Lome are vegetable oil and rice From European countries and Asia especially Japan, South Korea are second hand cars (tokumbo) [13] Bayo (2008).

In the Nigeria- Cameroon Border products traded and unrecorded include: Petroleum, Plastic, rice, second hand clothing/shoes, pharmaceuticals, motor spare parts, cocoa, bush mango are taken to Cameroonian cities.

From Cameroon are roofing sheets (Cameroon zinc) mattress, pirated Makossa music, second hand shows from France [14] Eric (2009).

The owners of these goods do not stay in the borders. There is a network or cartel that organizes for the purchase and sale of these items. The "Upper World Players" who own and organize their purchase from Asia and Europe, including their shipping into the borders and the "Border Underworld" made up of a network of receivership, contractors and middlemen ever present in the borders to move these goods to cities such as Abeokuta, Lagos, Ibadan, Benin or to Calabar, Onitsha, Owerri, Ikang, Ogoja and Obudu [15]. Agbor (2009).

In this trade there is a steady presence of transporters who are engaged in the movement of the goods across borders. The cars, truck and boats and other

means of transportation are not owned by the "upper world players," but by individuals who take advantage of the booming trade to provide transportation for an agreed fee.

Those who are engaged in loading of the goods from the point of entry i.e. the ports to Imeko-Afon, and those who load along Ajassor riverine area, Ikom and Ekok to points where they are moved into towns or cities are different, and they charge the contractors or middlemen varied sums to load into trucks, buses or cars. Those who provide this service are mostly students who combine their studies and business and other unemployed youths in the borders. [15]. Ayodele (2002).

Certain corrupt civil servants, police, customs, immigration, gerndames participate and allow the transporters to pass, and protect them, after receiving payment for all items of merchandise. Some customs officials profit from these arrangement, as they collude with the contractors, transporters and dealers who under declare their goods and share the customs duties on what is declared. They also arrange with them the time to move from their loading points into the cities in order to avoid other law enforcement agents. 15 Amba (2009).

In Imeko-Afon those who are involved in unrecorded trade in a small scale are known as "some-crossers". They outsmart government officials and divert goods through the motley of underground outlets into the cities. They are mostly involved in trading items such as clothes adire – ashoke from Benin Republic, tooth paste, plastic, hot drinks, chicken, eggs, petroleum, empty sacks, soap of various make, etc. Transport costs vary according to the type of goods, their quantity and their fragility. The prices are negotiable, and the rate of profit is variable. [17] Oshun (2008).

In the Ajassor-Mfum-Mamfe border region, the terrain is very rough. Through Ikom-Ekoke-Mfum into Cameroon, traders utilize this road mainly during the dry season. Buses, trucks, lorries ply the roads moving cocoa, plastic products, pharmaceuticals, manufactured goods, second hand clothing from Aba, Onitsha, Abakaliki via Ikom – Ajassor to Cameroon. Cocoa and bush mangos are cultivated in Ikom-Boki areas in close proximity to the border. The majority of the cocoa and bush mango are moved into Cameroon in sack bags. The prices of cocoa vary in both countries and Cameroonian and Nigerian businessmen are

usually seen in the cocoa depot at Ikom-Calabar road, and Ikom-Ajassor road moving their goods to Cameroon. Enroute to France [16] Ayuk (2009).

The operations take place both at day and night. For instance at Ajassor and Agbokim Water Fall riverine areas, boats load petroleum products, manufactured goods, pharmaceuticals and are transported to Cameroonian towns of Limbe, Kumba, to Doula and beyond.

In these borderlands, they are check points and road blocks for customs, police, mobile-police, quarantine secret service, immigration, army, gendarme, National Drug L\aw and Enforcement Agency (NDLA), National Agency for the Prohibition of Trade in Human beings (NAPTIP), whose duty is to control the movement of goods and personnel along the Nigerian side of the borders. There is the multiplicity of federal institutions, while in Benin and Cameroon, only the gendarme and police are noticed. [19] Otora (2009).

These law enforcement agencies have become participants in cross-border crimes. They participate by allowing criminals to cross borders, collecting bribes and allow unrecorded trade to blossom thereby contributing to the economic problems of their states.

Both the criminals, traders, law enforcement agents are motivated by profit. The massive profit accumulated by those traders are shared with these officials and this assures them of their protection. Bonchuk [18] (2008).

The standard of living of those involved in the trade has improved. This is reflected in the life style of the border-landers. Artisans have improved on their businesses as they now own motor cycles, most students pay their fees through these deals. The increasing rate of motor cycle business "Okada" "Alaloke" or "going" in these borders learn credence to the above assertion. It has also led to an increase in the "sins business" or prostitution in the borders. [20] Babatunde and Mfam (2008/01).

Investigation during field work in both borders reveal a relationship between unrecorded trade and official economy. This raises the question of the implications of the unrecorded trade for the development of both states and the border regions in particular "Development" is a global process that should serve to liberate people from all forms of constraints, permitting them to increase their income and satisfy their primary needs.

The expansion of unrecorded trade and the rush into it has become not only phenomenal but amazing. In these borderlands rural and urban markets are inundated daily with persons of both sexes who buy and sell at prices arrived at by haggling using both the Nigerian naira and French franc as medium of exchange. [22] Eta (2008).

In Imeko-Illara and Ajassor-Ikang, a rough census of house holds in the centre of town reveals that at least 146, out of 200 sell their goods from their houses, in the street, or in some of the markets of varying sizes.

A significant number of the youths, most of them school drop outs have left their villages to establish themselves permanently to take advantage of the booming unrecorded trade across borders [23]. Bonchuk (2008).

The motivation for this is unemployment, the inability of the formal sector to absorb them, inefficiency of the formal sector – lack of transportation, low salaries and a lack of modern indices of development which has led to the decay of their social systems. [24] Abang (2008).

These activities are complemented by farmers who cultivate yams, beans, millet, cassava, maize, plantain, banana, vegetables that are sold to enable them earn some money.

The multitude of private businesses outside official institutions are striking. For instance, there are hospitals, medical centres, small scale industries, business centres, hotels, canteens, restaurants that serve the border population.

In all these activities, the system of production and distribution is mainly private initiative. These include cocoa wholesale cooperative societies, patent medicine stores, retail traders, itinerant traders in rural areas, including those who sell food stuff cooked and uncooked in the village markets or along the roads are privately owned. [25]. Olatobusun (2008).

The exact volume of these activities is difficult to assess because of their nature and character. They are considered as alternative to government employment, farming, formal trade and are crucial sources of food and income. The positive aspect of such trade is that it makes up the deficit in household budgets and provide work for those engaged in it.

Though unrecorded trade impoverishes the states, it brings considerable wealth to people who have no other means of it. It represents local solutions to

local problems. It is evident that unrecorded trade blossoms when countries ban or prohibit certain goods in regular trade such as petroleum, second hand cars, clothes, shoes, cooking or vegetable oil, rice, sugar etc. Scarcity of these products or insufficiency propels people to get involved in unrecorded trade to satisfy local needs. [26]. Besong (2008).

A series of individuals profit from the trade; the traders, transporters, government officials, law enforcement agents. The government of Nigeria uses taxes to fund petroleum subsidy, the state and society are losers in the unrecorded petroleum trade.

The different forms of trade are specific to their organization, but all are carried by a chain of individuals along and astride the borders. Though some drop out and illiterate dominant the trade, graduates of universities and other higher institutions who are unable to find formal jobs participate.

The change in economic policies, particularly liberalization measures since 1999 in Nigeria have not met significant changes. The "upper world" activities are linked in a variety of ways to the "border underworld" with the official sector. For instance, some companies unwittingly, supply the merchandise for "illegal trade" and are sometimes also, buyers of "illegal trade" items and stolen goods. Through these "illegalities" people make money to survive, and accumulate same to participate in the official economy. Precise details of the investment of the under world profits is an aspect that requires further research. However, information indicate that these profits are re-invested in real estate, opening of other business ventures or conspicuous consumption, purchase of state of the art cars from Europe and America. [22]. Otu (2008).

1.1 **UNRECORDED TRADE AND PROSPECTS FOR TANSBORDER COOPERATION AND INTEGRATION IN AFRICA**.

There are similar pressures in relation to Africa's local history, geography and politics for transborder cooperation and wider regional economic integration as in post-war Europe. Trans border cooperation can be predicated on vibrant trans-border regions which await appropriate attention and policy adjustments to stimulate   them into formidable transborder regional organization capable of galvanizing the fledging sub-continental organizations and transforming them into

an African regional organization envisioned in the Africa Economic Treaty, initiated in 1991 on the model of the European Economic Treaty of 1957. [22] Bonchuk (2007.).

Another interrelated factor forging transborder regional cooperation is cross-border trade. This factor has been recognized by researchers and consultants working mostly for international development and donour agencies including the World Bank, the International Monetary Fund (IMF) and the U.S. Agency For International Development. Their study reveal the dominance of the most unofficial or unrecorded trade forms of inter-African business transactions vis-à-vis the recorded aspects.

The realization of the magnitude of cross-border trade flow and the truly regional character of its operational dynamics has led experts of the Wet African Studies to appreciate and suggest the need for radical reorientation of current approach to regional integration in favour of the new strategy which they have called "market driven integration". The essence of this suggestion is that instead of continuing to be pursued on the model of traditional international organization, regional integration should be rooted in the alternative of transborder interactions as strongly manifested in cross-border trade 52 (Asiwaju (1999).

The importance of this crucial factor is complemented by the presence of high profile African rivers, lakes, mountains, including the irresistible natural habitat and ecosystem entities.

The potentials are strong stimulants for transborder cooperation in planning development of strategic resources, cross-border flora and fauna, critical for tourism.

The evidence of an ever increasing advocacies about reorientation of regional integration projects on the more solid foundation of local African history, cultures, inspired by known affinities of history and culture and traditions of people, has been added the advocacy of a market driven integration perspective, informed by business data collections and analysis of cross-border unrecorded trade transactions and their wider regional dynamics and networks. [29] Macgaffe (1991).

Regional economic integration projects does not mean the "Whithering away of the States". The states would continue with its constitutional roles while availing itself with new opportunities to solve problems beyond their territories.

Analysis and studies elsewhere suggest a convergence of the reality of micro-market driven integration formalities already taking place on a daily basis along African boundaries .

State-centric concept that label cross border unrecorded trade as "illegal," "smuggling", "under ground" "black market", should be subjected to inmterrogation. wide spread phenomenon should be capitalised upon to ground African economic cooperation and integration using the century old micro-integration formalities as "bridges" or building blocs for wider regional economic integration projects.

The failure of the statist approach to development and provision for its citizens is an eloquent testimony to this call. Several attempts to ban goods entering neighbouring Benin Republic by various Nigerian governments only stimulated the demand for such banned items by the Benonoise Cross-border movements and unrecorded trade would continue to increase if its causes and motivation are not addressed by governments. It is evident that unrecorded trade across Imeko-Mfon, Ajassor-Mfum-Mamfe borders have been occasioned by the prohibition in regular trade of products such as vegetable or cooking oil, rice, second hand cars below five years second hand clothing, petroleum products, manufactured and industrial goods and other products demanded by both sides.

The borderlanders do not acknowledge the fact that they are engaged in "illegalities" or crime but in legitimate trade. It is instructive to note that the number of people involved in the trade and the unemployment problem it has solved coupled with the provision of scarce commodities this trade has provided, any attempt to ban these transactions can lead to social unrest. Governments should therefore legitimize this sector in order to avoid loss of colossal revenue while at the same time resolving some of its numerous problems.

CONCLUSION

The aim of this study was to investigate the organization causes, consequences of cross-border unrecorded trade along and astride two African borders.

It was indicated that international trade theory cannot explain the border paradox, and not suited for analyzing cross border unrecorded trade. It was suggested that given the failure of regional intuitions established for African regional integration, the micro-market driven integration formalities taking place along and astride the borders should be galvanized and functionalized as building blocs for wider regional economic integration.

That this necessity has been advocated by the World Bank, the International Monetary Fund and other studies is an indication of the urgency for a new approach to regional economic integration. .

State-centric approach to border issues should be persuaded to yield ground from a "nationalist mind set" to an emerging "regional mind set" that recognizes these realities as "bridges" rather than "barriers". Recognition of this sector would enable governments to solve most of their problems – youth unemployment, loss of colossal revenues to individuals needed for national development, improving the rising standards of the border impacted groups and the necessary of grounding African regional economic integration projects on the realities of African history.

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7.   Bonchuk, M.O. 202 "European Transboundary Paradigm: Its Relevance to the Nigeria-Cameroon Border Integration, Nigerian Journal of Social And Development Issues, Vol. 2, No. 1 January.

8.   Ajibade, Basil, 2008, Interview was held at Imeko-Afon. Ajibade is a school teacher whose information on unrecorded trade assisted greatly during field work.

9.   Tables 1-6 are based on field work – interviews, participant-observations at Imeko-Afon-Ajassor-Mfum, Ekok, provided me with practical experience as I witnessed with dismay the vibrant unrecorded trade.

10.   In both borders Cross border unrecorded trade take the same form and character and in the presence of law enforcement agents.

11.   Field work at Imeko-Afon was assisted by interpreters as I cannot speak Yoruba- but was at home in Ajassor-Ekok because I am Boki, and speak Ejagham, border languages in Nigeria –Cameroon.

12.   Bayo, L. (1008), Interview held at Imeko during a workshop – Train the Trainers on Bordrelands, African University Institute, Imeko-Afon, Bayo is a Trader, '"Okada" owner and transporter.

13.   Eric Asu, 2009, Interview was held at Ikom, a thriveing transborder twin city with Ekok in Cameroon, Eric is a cocoa merchant/dealer.

14.   Agbor, L. 2009 is a transporter who ply the border along Ikom – Ajassor-Ogoja, interview was held at Ajassor – a border riverine area where boats carry goods to Kumba-Limbe in Cameroon.

15.   Ayodele, I. 2008. a student, Imeko-Afon informed me that students avail themselves of the opportunities provided by cross border trade to make money.

16.   Adeshina, O; Trader at Ilaro, Interview held during field work.

17. Amba, A. 2009, interview held at Agbokim Water Fall, a border riverine town in the Nigeria-Cameroon border.

18. Oshun, T. owner of a supermarket at Abeokuta, in an interview.

19. Ayuk, C. 2009. Transporter bus/truck owner, interview held at Bendeghe, a border town close to Cameroon.

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27. Besong, C. 208.interview at Ekok-Mfum, a dealer on Cameroon zinc/mattress, at the border market, Cameroon.

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The Nature of Informal Cross Border Trade and its Implications for Regional Integration: The Case of Forbes and Machipanda Border Posts of Zimbabwe and Mozambique.

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Abstract
Informal trade across the border between Zimbabwe and Mozambique was thriving despite bottlenecks related to tariff and non-tariff factors. Even with increased trade liberalisation between the two countries, the trend continued. This called for deeper analysis into the causes, nature and magnitude of this form of trade. An analysis of the profile of informal traders and the informal trade circuit surfaced the role of domestic trade distortions, and formal-informal interactions that encouraged informal trade. Zimbabwean women dominated the trade route, supporting the belief that informal trade opens opportunities which women are normally deprived of in the formal economy. Further, an analysis of institutional environment, anchored in insights from the new institutional economics, indicated that informal traders had well developed ways or opportunities for reducing high transaction costs that characterized the formal channel. For this reason, trade liberalisation, although necessary, was not a sufficient factor to shift informal trade into formal channels. Other factors that discouraged informal traders to turn formal were complex paperwork and registration procedures, demand for third country goods and efficiency of the informal channel. In addition, informal trade was estimated to have grown by 97% since 1999, making a case for the necessity of its inclusion in national trade statistics. With regards to policy, Zimbabwe and Mozambique needed to improve the operations of their trade-related institutions to reduce transaction costs alongside liberalisation. In addition, it was argued that regional integration strategies should aim at building local production capacity and economic rationalization.

Keywords: trade liberalisation; informal trade; New Institutional Economics; transaction costs; regional integration.

INTRODUCTION

The neighboring countries of Zimbabwe and Mozambique have experienced a dramatic rise in informal cross border trade (ICBT) for close to a decade. This came amidst efforts to stimulate formal trade mainly through liberalisation of trade, which did not yield significant results. The phenomenal rise of informal trade also happened against numerous bottlenecks faced by traders that included tariff-related (reflected in prohibitive duties), non-tariff (complex import and export licensing regulations), visa restrictions, access to trade finance, harassment by government officials, bureaucratic import and export procedures to name a few. To its credit, ICBT is perceived to have immensely contributed to alleviating unemployment, improved food security and generating income for the poor. Presently, it is unclear whether the boom in ICBT was just a spontaneous phenomenon or an organized economic activity. In addition, given some efforts by the Governments of Zimbabwe and Mozambique towards trade liberalization with a possible motive of channeling informal to formal trade, it is vital to assess how feasible this effort is. As observed by Nyatanga et al

(2000) the majority of specialists in foreign trade and regional integration[1] concentrated on recorded or official trade and ignored ICBT flows. It was not surprising that even though the bulk of informal cross border traders used designated crossing points or borders, the magnitude of their trade remained a dark spot in national accounting statistics. On a broader scale, there is growing belief that ICBT is an effective agent of a more viable and authentic "regional integration from below" (Lavernge. editor, 1997). It is vital to interrogate this belief amidst poor performance of formal trade and accelerated moves by SADC towards regional integration. Therefore, to shade more light on this grey area of economic activity, it was crucial to investigate the nature of those who trade informally across borders, the institutions they interface with in their transactions, guestimates of the market value of their business as well as the implications of this form of trade on regional integration efforts.

Aims and objectives of the study

The research uses the case of Forbes and Machipanda border posts of Zimbabwe and Mozambique. It is anchored at the border because of the border's tendency to concentrate economic activity and to interface formal and informal institutions that regulate trading activities. In order to fulfill the objectives of the study, the first objective was to describe the profile of informal traders. The second objective sought to establish why traders engaged in informal rather than formal trade as well as how they interact with formal and informal institutions at the border and further. This also involves an analysis of the institutions that facilitate or stifle informal trade. Thirdly, the research estimates the value of informal trade across the border. The fourth objective was to discuss the implications of ICBT on regional economic integration efforts of the two countries in the context of SADC.

Background

Informal cross border trade between Zimbabwe and Mozambique increased sharply since 2000 (Ndlela, 2006). The two countries share one of the longest-1300 km-borders in Southern Africa. The border constitutes a fracture in the natural evolution of indigenous communities, which were one entity before the border. Historically, trade in gold, ivory, tools, fish, salt, cereals and textiles abounded between the Monomotapa Empire and the Indian Coast (Kambudzi, 1997). In studies of informal trade in West Africa, Lavargne (1997) concluded that ICBT activities flourished where long distance trading networks were highly developed, before the enactment of colonial boundaries. Such historically focused interpretations lead to the view that ICBT is a reassertion of African solidarity in protest of colonial distortions. However, the visible growth of informal trade between Zimbabwe and Mozambique only started in the turn of the 21st century. Another dominant perspective is that ICBT developed in response to excessive regulation, price distortions and corruption of post independence governments in Africa. This implies that informal channels would shift to formal trade with the removal of these barriers. Further, the coming into effect of the SADC protocol on trade in 2000 and subsequent launch of the SADC free trade area on the 17th of August 2008 was a big commitment by SADC member states to stimulate intra-regional trade, create greater regional interdependence as well as boosting production, employment and economic growth. For Zimbabwe and Mozambique, this was building upon the bilateral trade agreement enacted in form of a preferential trade agreement (PTA) in 2005, whose aim was to promote trade between the two countries. Faced with a tremendous rise in ICBT, the

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[1] **Regional integration** as used in this study referred to efforts towards fostering more economic cooperation in a region. For SADC, this concerns stronger economic, trade and monetary cooperation and free movement of goods and people across member countries' boundaries. This implied more efficient use of resources and an expanded market for the region's enterprises.

two governments' interest in formalising more traders was evident in negotiations for removal of stringent travel requirements, suspending duty on basic commodities, audits of import transactions among others. This is believed to be a result of a realization that, the PTA did not immediately inject vitality into trade flows between the two countries (Ministry of Industry and International Trade's Zimbabwe-Mozambique Trade Brief, June 2005). For Zimbabwe, overall informal trade with Mozambique was approximated by Macamo (1999) to be US$7.7million which was 16.32% of total formal trade between the two countries However, the desirability, and indeed, the meaning of promoting or 'cultivating' the 'informal sector' was not as clear as might seem at first sight. In addition, while the contribution of ICBT seemed clear, many studies showed that this sub sector was not only neglected and undervalued but also largely perceived negatively, criminalized and discriminated against by policy making organs in the Southern African Development Community (SADC) region (Muzvidziwa, 2005).

MATERIALS AND METHODS

In this study informal cross border trade was defined as unrecorded exchange of easily observable goods across established customs points between two countries. Although many scholars tend to euphemise ICBT with such phrases as "invisible, "black market trade", "smuggling" among others, the major assumption made in this study was that it is entirely possible that a significant chunk of ICBT was legal or extralegal[2]. The research was mainly qualitative but also complemented by some quantitative analyses. The study assumed that smuggling and illegal trading across the border comprised an insignificant portion of informal cross border trade at the border and therefore they were not included in the study. The Forbes-Machipanda Border Post (FMBP) was chosen as a case study. The research was anchored at a border area because of its role in concentrating the economic circuitry of trade and interfacing informal and formal institutions. In order to investigate the influence of institutional arrangements that affect ICBT, elements of the New Institutional Economics[3] (NIE) were utilized. The challenges that the researcher faced were to do with language on the Mozambican side. It emerged that ICBT is sensitive and fraught with suspicion. The result was that some would-be interviewees refused to participate for fear of the unknown. A sample of 60 informal cross border traders was selected by convenience. Although this sampling method is a source of sampling bias (Gay, 1996) it was necessary to target traders and not cross border shoppers. Besides collecting data from informal traders, the researcher also utilized a type of anthropological fieldwork pioneered by Clyde Mitchell (Muzvidziwa 2005). In this methodology, the researcher gained more by immersing himself in cross border trade to gain an in-depth understanding from the practical experiences of traders themselves. This was important given the sensitivity of the research, where traders were very suspicious of outsiders. Besides collecting descriptive data on characteristics of informal cross border traders, the study had a bias towards understanding the institutional arrangements that could be determining the nature increasing tendency of informal cross border trade, in the face of increasing liberalization of trade between Zimbabwe and Mozambique. Chi-square tests were done to test hypotheses about the relationship between profitability and selected predictors. Profitability was measured using the proximate indicator called simplified gross margin

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[2] Tolerated in practice though illegal in the name of the law (Taneja and Pohit, 2000)

[3] The essential idea of the NIE is that the success of a market system is dependent upon the institutions that facilitate efficient private transactions. It has a subfield called transaction cost economics (TCE) which emphasizes the potential costliness of transactions. The NIE, though not a clear school of thought, provides a relatively predictable framework when compared to neoclassical-economics. Using the NIE framework, it is important to understand the function of institutions in facilitating exchange and reducing transactions costs of informal cross border trade.

percentage[4]. Scatter plots were also used to infer if there was a relationship between the dependent variables and respective determinants while regression analysis was used to predict profitability. The magnitude of informal cross border trade between Zimbabwe and Mozambique was estimated through the Delphi technique[5]. In the methodology, three iterations were conducted until consensus emerged. However, as Taneja et al (2002) did, instead of one group of respondents, different groups with representation from different categories of respondents were defined and interviewed. This modification was found necessary given the high mobility of the respondents. A total of 38 respondents were interviewed including carriers, border officials and other knowledgeable persons. The modified Delphi technique was used to estimate value of informal trade as well as cross border human traffic.

RESULTS AND DISCUSSION

Profile of informal traders and the trading circuit

Zimbabwean traders dominated trade as they comprised 96% of the traders. As a result, the research developed a bias towards Zimbabwe. The high proportion of Zimbabweans was possibly a reflection of the economic meltdown in the country which resulted in increasing unemployment and increasing poverty levels. The results of the investigation on the characteristics of ICBTs suggest that the trade is for young and active age-groups (20 to 40 years range). Women's majority was overwhelming as they comprised 92% of the sample. This is consistent with what Ndlela (2006) found out that 90% of the informal traders in his study were women. This finding is consistent with the belief that ICBT is a women's trade, despite high levels of unemployment in the formal sector which was previously a men's haven. It also favors the assertion that under conditions of economic crisis and rising male unemployment in the official economy as was in Zimbabwe, the parallel economy is an avenue for women to evade patriarchal structures that limit their opportunities in the official economy. Literacy levels of traders were fairly high as shown by 96% having attained secondary education or more. Of these, 14% had reached tertiary level and included teachers and nurses who were seeking better incomes since formal employment in Zimbabwe paid below the poverty datum line. The study also found that 36% of informal traders lived within 20km of the border, while 49% were within hundred kilometers. However, the catchment area of the border extended beyond 300km, including the capital Harare. A higher concentration of traders' residence around the border has implications in opportunities for the two towns of Machipanda and Mutare (within 20km of each other) to exploit border differentials and grow from the positive effects that they represent for businesses and workers as suggested by Sohn et al (2009). For example, cases of Zimbabweans who commuted to work in Mozambique were said to be on the rise. This is said to have increased after the removal of visa requirements for Zimbabweans by Mozambican authorities in 2007.

The study found out that the majority (about 84%) of the traders had started trading informally after year 2000. In fact 44% were less than 3 years in the trade. Some 14% of the traders had been in the trade for more than a decade. The dates of joining ICBT by individual traders clearly indicated that the rate of joining informal trade had continued to pick momentum since year 2000. The data also suggested that the majority of the traders were relatively inexperienced in the trade. Their main business categories of traders were retailers,

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[4] Simplified gross margin percentage is calculated by dividing the selling price into the difference between selling price and direct costs. Although not a precise profit percentage, it is a quick indicator of the profitability of an enterprise.
[5] According to Taneja et al (2002) the Delphi technique is essentially a set of procedures for "eliciting and refining the opinions of a group over successive rounds of interviews with it."

wholesalers and hawkers. Participation in the categories was as follows: retailers, 41%; wholesalers cum retailers, 33%; wholesalers only, 18%; hawkers 8%. Interestingly, more than 30% of the Zimbawean traders supplied their imports to formal shops, of which 12% were large (also known as supermarkets). More than 43% of informal exporters into Mozambique supplied small shops. Thus there were well developed backward and forward linkages between formal and informal businesses. With regards to how one is oriented into informal trade, the study tends to concur with what Muzvidziwa (2005) discovered on the importance of social networks in the trade. Most traders (62%) were oriented into the trade by relatives and friends while the remainder had to struggle on their own. However, it seems in terms of financing, most (56%) had to self-finance with 36% getting the assistance of their relatives and friends. Only a mere 4% had start-up capital from financing institutions. Although one interviewed informal cross border traders' body called Zimbabwe Cross Border Traders Association claimed to have more than 10 000 members, only 6% belonged to such an organisation. This may explain why reliance on social relations was so important.

According to Lavergne (1997), an ideal parallel trading circuit is predicated upon the existence a foreign-exchange-controlled economy, with a parallel foreign-exchange market on one hand and an economy having internationally convertible currency and liberal import policies on the other. In the Zimbabwe and Mozambique subsystem, the former maintained a fixed exchange rate regime beginning year 2000 when the rate was at Z$40 to US$1. Continued overvaluation of the Zimbabwean currency widened the black market premium such that as early as 2003 it had widened to 600% (Sonia, 2006). Zimbabwean informal traders exported items such as crafts and interior décor items, blankets, agricultural produce (such as potatoes) and fruit juices. They would obtain access to the Meticais (Mozambican currency) which they used to import goods back into the country as well as converting into United States Dollars for the thriving parallel market back home. This was consistent in West and East Africa's informal imports and exports regimes according to Lavergne (1997). However, significant number of traders crossed the border from Zimbabwe without exports but for the sole purpose of importing goods that were in high demand back home. Conventional thinking guided by neo-liberal economic perspective where ICBT is believed to be a response to excessive controls by the state expects informal trade to shift to formal channels with trade liberalisation. However, even though Zimbabwe and Mozambique have continued to liberalise trade, ICBT actually increased. Traders gave a number of reasons why they preferred informal to formal trade. Top on the list of most traders-52%-was avoidance of a complex paperwork and sometimes confusing registration associated with formal trading. For example, for one to import formally, they need documentation in form of bills of entry import, supported by invoices of the goods, freight and insurance statements, bills of transportation, import permits for controlled goods and in cases of controlled goods; certificates of origin. Further analysis revealed that traders with lower education levels tended to prefer ICBT to formal trade in order to avoid complex paperwork and cumbersome registration procedures. The results of a hypothesis test are in table 1 in the appendix. The other factors mentioned included demand for third country goods, time efficiency (through quicker transactions and border procedures) and reduced duty payments. Given that more than 38% of commodities imported from Mozambique were not originating from Mozambique but other countries such as South Africa and Thailand, it means they did not qualify under the PTA. Therefore, for one to import these commodities, they would turn to the informal channel. In addition, traders effectively utilized bulk-breaking; dealing in small amounts that did not attract duty payments at the border (goods worth below US$ 300). In addition, informal trade offered an opportunity to pay bribes to customs officials in return for

expeditious clearance. Ways in which border officials were alleged to encourage bribes included bureaucratic delays and excessive inspection of luggage.

Transacting environment

Entry, information channels and nature of contracts: The study suggests that success in ICBT is largely dependent on social networks as 62% of the traders were oriented through relatives or friends. The rest had oriented themselves. This suggested a tendency towards a system of non-anonymous transactions. How informal traders got information on what goods to trade and quantities can determine the arrangements that characterized the exchange processes between parties. This study found that the most dominant method of obtaining market information was personal trips as it was the first choice for 68% while 32% relied on fellow traders. The removal of visa requirement for Zimbabweans traveling to Mozambique made personal trips a possible and preferred information channel. The second channel indicates the existence of trading networks observed by Muzvidziwa (2005). Evidence at hand also seems to confirm the observation by Taneja et al (2002) that the informal distribution network served a two-pronged role of marketing and market information. There was little evidence of formal sources of market information such as the media, trade fairs, and international trade bodies among others. Cross tabulation analysis of profitability and source of market information indicated that personal trips to get market information impacted on profitability more negatively than getting information from other knowledgeable traders. The implication is that the costs of obtaining information were high.

The study showed most 80% of the traders relied on verbal contractual arrangements. Some agreements involved informal importers or exporters and formal retailers in both territories. Cases where informal traders were used as "runners" of formal companies were reported especially in Zimbabwe involving consumer goods in short supply. In fact 12% of the traders supplied supermarkets while 41% supplied small shops in Zimbabwe. However, 14% of the traders transacted with no contract at all. The absence of no binding contracts in the majority of transactions could be the reason why most traders-70%-transacted on a cash basis. This scenario implied low levels of trust between transacting parties, and higher transaction costs.

Risk: An important aspect of the transacting environment for informal traders was risk. The study sought to identify risk factors, extent of the risk and responses of traders to the risks. ICBTs face risks associated with default of payment by their customers, confiscation of goods by law enforcement agents, delays in supplying the market and bringing goods that do not conform to market requirements. The distribution of risk perceptions of traders are presented in table 2 in the appendix. The study revealed a modal range of zero to five percent for all the investigated risk types except for payment default risk. Lower risk perceptions of the traders for any risk attribute strongly suggested that traders had developed mechanisms of mitigating this type of risk. It was clear that most traders perceived all types of risk to be in the 0 to 10% category. The modal perception of 11-20% for default in payment could have been a result of a relatively high number of new ICBTs and new markets. Some of the mechanisms used to mitigate the risks included transacting on cash basis, paying bribes to enforcement agencies to avoid seizure of goods and avoid delays as well as personal trips to customers to confirm requirements. It was also found that 76% of the traders paid between 1% and 10% of their total turnover per trip as bribes. This suggested that ICBT was a very risky business. Higher risk premiums implied higher prices to final consumers. What is surprising is that such high levels of risk still subsisted alongside more liberalization of cross border trade through, for example, suspension of duty on many basic commodities in Zimbabwe and removal of visa

requirements for Zimbabweans. Informal traders alluded to border officials using ignorance of traders on duty free limits and criminalization of possession of foreign currency to their advantage to perpetuate their gains from bribes.

Transaction cost: The study identified transaction costs in the form of transport, converting currencies, bribing law enforcement agencies, default by creditors and safety measures. The perceptions of traders about the proportion of these elements to turnover are in table 3. The table indicates that more than 60% of the traders had transaction costs below 10%. Some of the mechanisms used to reduce transaction costs included transacting on cash basis, paying bribes to enforcement agencies to avoid seizure of goods and avoid delays and personal trips to customers to confirm requirements. It should be noted that duties for imports and exports for Zimbabweans had been rendered insignificant due to hyperinflation. In addition, a number of traders took advantage of the duty free limit of US$ 300 by bulk-breaking. The general perception was that transport ate away a huge proportion of the profits as indicated by very high ratings. The study also revealed a modal range of zero to five percent for all the investigated transaction cost types except for payment default risk. A lower risk perception of the traders for any risk attribute was supported by well developed mechanisms of mitigating this type of risk. The modal perception of 11-20% for default in payment could have been a result of a relatively high number of new ICBTs and new markets. The impacts of the above transaction costs were further investigated through regression analysis. The results showed that the main factors affecting profitability (measured by gross margin percentage) were imputed risk of dealing in the commodity, transport costs and alternative commodities traded in. Risk perception of the trader was a better predictor of profitability than the other two as indicated by a higher coefficient of 0.79. This suggested that those commodities associated with more risk were more profitable. The second most traded commodity was important as a mechanism to spread the risk of the whole business in the face of volatile markets. The investigation unearthed a number of transaction cost elements that reduced the effectiveness of liberalisation efforts between Zimbabwe and Mozambique. A similar case was discovered by Khan et al (2005) in a study between India and Pakistan. He found that at the Delhi-Amritstar-Lahore and the Sind Cross border routes, even zero tariffs would not be enough to compensate for the formal procedural requirements and transaction costs in order to justify ICBT turning to formal trade.

Financing informal trade: Start up capital for 75% of the traders was less than US$200 and the modal category had started with less than US$100. However, some had started with as high as more than US$400, as figure 1 shows. Traders identified expanding their businesses as one of their main challenges. This was due to limited access to investment finance which itself resulted from difficulties in meeting the collateral, traceability and financial records requirements of financial institutions. With an estimated inflation of about 500 billion by December 2008 (IMF report, January 2008), interest rates in Zimbabwe were too high to manage. Only two micro-finance institutions were giving monthly loans at varying interest rates, which traders described as unmanageable. It was therefore not surprising that only 4% of interviewed traders got their start-up finance from moneylenders. The rest of the traders - 98% - got start-up capital from personal savings, friends and relatives. This could be the reason why only 7% of those traders whose start up capital was less than US$ 200 managed to break out of this trap and transacted with higher values than start-up. In addition, of the 15% who had value of transactions per trip of US$ 400 and above, only 6% traded at higher than their start-up capital. This suggested that lack of finance inhibited the growth if ICBT.

Estimating the magnitude of ICBT

Although historical estimates could not be found, border officials said human traffic across the border had increased in the past ten years. Current estimates of average human traffic into Mozambique of 981 per week and 747 into Zimbabwe per week were given. Of these about 30% were traders. The difference in immigration and emigration figures was explained by the longer time taken by traders from Zimbabwe while in Mozambique doing business as well as border delays. On average, a trader undertook business worth an average of US$296 per trip. Interestingly, the average value of transactions per trip was very close to the figure (US$ 300) that Peberdy (2002) found out in a study of ICBT between South Africa and Mozambique.

Using the Delphi method, the study estimated the average value of informal imports into Zimbabwe from Mozambique at about US$ 15 million. Maximum and minimum values of informal imports were estimated at US$23 million and US$ 8.7million respectively. For the estimate of informal exports from Zimbabwe into Mozambique, the average figure was found to be US$5.8 million and maximum and minimum values of US$13 million and US$ 2 million respectively. This translates to mean informal exports of 29.4% and informal imports of 77.28% as proportions of total informal trade between the two countries. Commodity categorization also showed that 24% were exports while 74% are imports, with 2% missing. Although actual figures of informal imports and exports may not exactly coincide with the means calculated, the ranges between the maxima and minima could be good guides to the actual estimates. The convergence of the two sets of proportions suggested that the estimates of proportions of imports and exports were good guestimates to work with. Zimbabwe's estimated informal imports were 162.82% higher than exports. In 2004, formal imports were 96% higher than formal exports (Ministry of Industry and International Trade, June 2005). Thus, in both formal and informal channels, trade between Zimbabwe and Mozambique was skewed in favor of the later and against the former.

Implications of ICBT for regional integration

Regional economic integration in Africa was experimented with for decades with little success. It has resurfaced recently, inspired by successes of large regional trading blocks of Europe, Asia and the Americas. Over the years, African economic integration was largely undermined by commitments of African countries to preferential import-export arrangements with former colonial masters. For example, Zimbabwe's main trading partners in the eighties up to 2004 were largely from Europe and America. Formal trade has remained very low between the two countries such that by 2006, Mozambique accounted for only 2.8% of Zimbabwe's total trade (COMSTAT Database, 2006). The observed sustained increase in ICBT is of interest as it seems the trade has succeeded where formal trade failed. This study estimated that ICBT imports grew by an estimated 97% between 1999 and 2008. Conversely, formal exports have fallen by more than 41% between 1998 and 2004 according to Zimbabwe's Ministry of Industry and International Trade (2007). However, formal imports have increased,

This study has added evidence to the effect that ICBT owes most of its growth from its links with the formal economy rather than independence from it. Empirical evidence has shown that to some degree, ICBT is dependent on connections or collaboration with state officials through bribes and also some backward and forward linkages with formal businesses. Therefore, ICBT between Zimbabwe and Mozambique is intimately related to the official economy in more ways than one. Government also facilitated informal trade through such moves as government suspension of duties on basic commodities (by Zimbabwean government) and loosening of visa requirements for Zimbabweans travelling to

Mozambique. Discussions with border officials hinted that Zimbabwean government seems to recognize the fiscal advantages of ICBT as well as promoting the supply of scarce basic commodities in the country. It is because of these interlinkages that ICBT takes a "semi-official" nature due to the fact that it is not accounted for in national trade statistics as well as not being subject to formal contracts, licensing and taxes, but playing an important contribution to the economy.

Regional integration in SADC emphasizes enlarging markets, with little or no consideration of the sources of the traded goods. Given the large proportion of traded goods originating from third countries, including Thailand for rice, there is a risk that the trade policy agenda for the region could end up benefiting economies with stronger production and manufacturing capacities, either within the region or further such as the European Union. In addition, the given that some countries such as Mozambique in the region have signed Economic Partnership Agreements, a vibrant informal cross border trade may make cheaper European Union commodities flood the SADC market. This would weaken the productive capacity of the region at large. The study revealed that ICBTs are as efficient in exploring the economic pressures faced by small producers as they are in taking advantage of price distortions of countries. In addition, as the study showed, the majority of traders are confined to low-income activities, with little opportunity for accumulation of wealth or growth (Lavergne ed, 1997). In addition, given that traders largely remain in arbitraging activities, with some evidence therefore points to ICBT reinforcing the commodity export dependence witnessed in the colonial era, though with new centres of export power concentrations elsewhere. It is therefore important that effective regional integration strategies build in upgrading of local production capacity and economic rationalization between regional economies among others. The study also alluded to a significant movement across the border coming from the local populations who move back and forth to visit family, trade in nearby markets and work. It is therefore worthy to for policy makers (at regional and national levels) to facilitate the transfrontier metropolis so that the border does not stifle economic circuitry of the region.

CONCLUSIONS AND RECOMMENDATIONS

ICBT, defined here as the observable but unrecorded informal exchange of goods and services across official border crossing points, has been existent since pre-colonial times. However, the study casted evidence that differential economic dynamics have shaped the nature and rate of growth of this trade. The case also to some extent concurred with neo-liberal economists that ICBT can be a response to price distortions brought by excessive regulation of the economy (Hashim and Meagher, 1999; Johns and Roemer, 1989; World Bank, 1981). Factors like price distortions, thriving parallel foreign exchange market, food shortages (driven by government price controls), rising unemployment and increasing poverty levels gave impetus to ICBT. In this case, the dominance of Zimbabwean women could have contributed towards the empowerment of women who were overcoming patriarchal structures that limited their opportunities in the official economy.

The existence of some well developed forward and backward linkages between informal traders and formal businesses not only brought to the fore the "semi-informal" nature of ICBT, but also hinted of the increasing preference for the informal channel. Despite these linkages with the formal sector, informal networks remained important for the majority of traders. The main pull factors towards the informal channel were mainly opportunities for avoiding complex paperwork and registration procedures, demand for third country goods and opportunities to reduce procedural delays at the border. An in-depth analysis of the in institutional environment of ICBT revealed that there were informal institutions for market

information, entry into the trade, contracting and many "hidden costs" that potentially stifled trade. In order to facilitate trade, Zimbabwe and Mozambique needed to improve the laws and operations of their trade-related institutions. These needed to be managed, staffed and equipped to balance trade facilitation and control in a way that lowers transactions costs. Otherwise efforts to liberalise trade to date were not enough to shift informal trade towards formal trade channels.

Informal trade had been rising since the year 2000. Informal imports into Zimbabwe were estimated at US$ 15 million while exports were estimated at US$5.8 million. This was an approximate increase of 97% since 1999. The observed human traffic across the border and estimates of value of trade went to demonstrate the increasing market value of ICBT. Even the Reserve Bank of Zimbabwe Governor Gideon Gono estimated that SMEs, informal and micro-enterprises accounted for between 15% and 20% of Zimbabwe's GDP. Exclusion of informal trade statistics implied that policies and regional trade strategies were based on flawed facts and therefore likely to be disconnected with realities that obtained on the ground.

While the growth in ICBT could be viewed as "integration from below", the Zimbabwe and Mozambique subsystem needed to be aware of its potential to undermine formal trade arrangements such as restrictions on third country goods which could be originating from the developed world. The result of this scenario would be to cripple the development of the productive capacity of the region or reinforce centres of export power concentrations. Thus, an effective integration strategy would be one that builds in improving local production capacity and rationalizing regional economies.

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List of tables

Table 1. Test of hypotheses

Null hypotheses	Type of test	Test statistic value	P-value	N	Degrees of freedom	Significance and conclusion
H_0: Profitability was independent of the total risk perception of the trader	χ^2	40.01	0.005	42	20	Reject null hypothesis and conclude profitability is dependent on total risk perception of the trader
H_0: The expected values of the profitability regression coefficients of distance, risk premium and gross margin of second commodity) were equal to each other and equal zero	F	40.01	0.000	50	6	Reject null hypothesis and accept the alternative hypothesis that says the coefficients of the 3 predictor variables were indeed not equal to each other and hence can be used to predict profitability
H0: The reason for choosing to engage in informal trade was independent of education level of the trader	χ2	28.19	0.02	48	15	Reject the null hypothesis and conclude that the choice of engaging in ICBT is dependent on the education level attained by the trader

Table 2. Percentage distribution of informal cross border traders by type and magnitude of risk

Type of risk	Percent of informal traders			
Probability of risk	0-5%	6 – 10%	11-20	>20
Default of payment	10	18	20*	6
Confiscation/seizure	35*	19	23	23
Delays	32*	31	16	21
Non-conformance to specifications	34*	33	11	22
Cumulative frequency	111*	101	70	72

Table 3. Transaction costs

Transaction costs as a %age of turnover	Percent of informal traders			
Category→	0-5%	6 – 10%	11-20	>20
Transport	18	22	36*	24
Currency conversion	50*	6	28	16
Bribes to enforcement agents	41*	35	18	6
Default	55*	11	17	17
Safety measures	44*	19	26	11
Totals	208*	93	125	74

Source: survey data
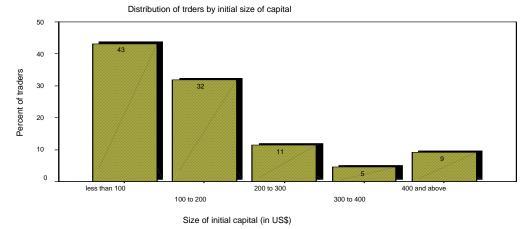
Table 1. Reported drivers of informal cross border trade by traders in percentages

Reasons for informal cross border trade	Export / Import	
	%age of respondents	Ranking of factors
Less paperwork	52	1
Demand for third country goods	38	2
Less procedural delays	38	2
Lower time to reach market	28	3
Less customs payments	22	5

Source: survey data

Figures

Figure 1   Distribution of informal traders by size of initial capital employed

Source: survey data

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DRAFT 1

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How is cross-border circulation transforming post-war Angolan towns in the southern border regions?

Abstract
The paper deals with the changes taking place in Angola-Namibia main border-crossing points. These correspond to three main circulation routes (the Iona, Ondjiva, and Kuando-Kubango) in three different geographic, social, and economic contexts. Throughout the long lasting war in Angola, the mobility of people and goods in the area was heavily affected, although at different degrees. The desert road trade (Iona), the main route to the South trade (Ondjiva), and the "far-east" highly militarized areas (Kuando-Kubango), developed specific social and commercial dynamics, which influence their present relationship to the neighbouring country. Peace has brought rapid changes to the intensity and quantity of cross-border movement in some of them while in others the geography of the region and the strategic military situation dictates the rules. These new conditions shape the way new and old populated areas emerge and grow, as in Africa it is widely associated to the tertiary sector activities and to strategies based on high mobility. This paper, based on information collected in Angola, seeks discussing the recomposition of social and economic dynamics in these border regions and the conditions that affect settlement and urban growth.

Introduction

Since the Berlin Conference in 1885, most African international borders have not changed but apparently, in practice, most of them – tough not all – remained porous and object of negotiation and conflict by different actors, both at a collective and individual level. International borders in Africa present a diversity of features and have been used to pursue different aims since independence, with clear consequences to political and social organisation and regional integration (Bach, 1999; Nugent, 2003). In addition, in each of the countries, border realities can be differentiated, according to specific local conditions and development. Both state and non-state actors develop their own strategies, based on different conceptions and practise of international boundaries, which might coincide, mutually reinforce, or, on the contrary, undermine each other (Nugent and Asiwaju, 1996; Zeller, 2007). Moreover, pressures at the local, regional, or international levels and regional economic dynamics represent both a constraint and an opportunity differently explored by these diverse actors. (more on Nugent)

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The aim of this paper is to analyse, based on empirical data collected in Angola concerning the southern border of the country with Namibia how different factors related to the importance of the border can shape and lead to human settlement and urban growth. The main argument is that cross-border trade is a key factor among the set of conditions that have lead to unequal development of cities in the border regions. The border and the trade related to it constitute opportunities for those involved in such activities, both the state and individuals.

The comparison within the same southern regions of three main cross-border trade routes helps explaining this uneven growth. Santa Clara, positioned at the main road from Angola to Namibia, records high growth rates as well a rapid growth of the population in the years following the end of the war in Angola. In the province of Namibe, where there is no main road to the neighbouring country, only the small traditional cross-border trade is maintained and, correlatively, human settlement remains disperse. In the third province, Kuando-Kubango, the absence of a main road, combined with the (still) high militarization of the area and of the border control, has not stimulated urbanisation like in Santa Clara/Ondjiva.

Research in many border regions of the world – and comparative analysis – has shown that in some cases rapid economic expansion has generated rates of growth that are considerably higher than the national average (Cohen, 2004:41; Hinderink and Titus, 2002). In addition, further comparisons can be made with other African border situations. (more). See for instance the Benin/Nigeria border trading towns' studies carried out by Fadahunsi and Rosa (2002). In these cases, the international trading routes have encouraged the settlement of entrepreneurs in these locations.

Trade conditions dictate the growth and development of border towns.

The primary assumption is that informal cross-border trade constitutes an important economic feature in the region and in the context of southern Africa and "provides support, income, and direct investment in development to a significant number of people in the region. It also forms an integral part of the regional economy" (Pederby, 2000a; 2000b). Therefore, it is the main factor determining the way cities and urban poles emerge and develop.

The article integrates the analysis of urban growth and its relation to cross-border trade, assuming that the social and political determinants in the region in recent years have shaped both features in a particular way. It considers not only the recent multiple interconnections but also short-term perspectives to the region and to cross-border dynamics. The main argument is that uneven development of economic cross-border activities determines the uneven growth and development of border towns.

The importance of analysing urban dynamics in Africa lies in the potential socio-economic development underlying them. Although mobility represents an important feature of a social and economic nature throughout Africa (De Bruijn et. al., 2001), it is in urban centres that this social and economic vitality is able to multiply, notwithstanding the myriad negative consequences resulting from that. Despite their size, all cities can be considered places that have innovative and dynamic aspects. This perspective is elucidative in the comparative work provided by Jennifer Robinson (2006), in which she states that regardless of differences between places that are differentially connected to the rest of the world, modernity is a

predominant characteristic of global, middle-range and small cities throughout the world today.

The rapid growth of middle-range towns is a widespread African phenomenon resulting from spontaneous social and economic dynamics, which simultaneously have to combine with institutional regulations and the development envisaged by the administrative structures and the stimulation of local entrepreneurial initiatives. Both regulation and the constitution and consolidation of a strong, dynamic entrepreneurial setting are key at this stage in Angola, but there is still no agreement about the possibility and the ways of combining them[1].

"City economic viability depends on a continuously proliferating market exchange of imports and exports" (Bryceson, 2006:40), to which infrastructural support should be added. This argument leads to the need for identifying the ways 'sustenance and sustainability' can be fostered and achieved. In the case of Angolan border cities, and bearing in mind their recent history, it is evident that infrastructural support of all kinds – not only physical conditions in the region and in the cities but also administrative structures – is not able to keep up with the dynamism and development of economic activities that the region has registered in the last decade.

Although the importance and relevance of small urban centres to national economic and urban policy may not be a priority in post-war Angola, the proximity of the border and the economic developments registered in recent years make some of the southern cities strategic in the Angolan context. The particular character of smaller urban centres is an analytical framework capable of highlighting the social, economic or political issues, which characterise the different situations. They help to contextualise, for example, the strong rural-urban linkages (Rakodi, 1997), relations with modernity and development (Robinson, 2006), the prevalence of family networks, and the particular features of local governance (Bekker et. al., 1997). In the case of Angola, this analysis also allows highlighting the impacts of war and the resilience of small urban centres.

The booming growth of small towns like Santa Clara can be justified by the weight that informally regulated (and therefore more lucrative) activities have had during precarious and uncertain contexts and situations war created. From the period when regional markets and administrative and control structures became more organised, cross-border trade became increasingly less attractive and lucrative for petty traders, while the growth of the town is already a fact[2]. Here, some formal private and public economic initiatives are now gaining shape, potentially changing the features of the urban settlement. However, small/medium-scale opportunity trade and large-scale trade have not completely ceased, neither in Santa Clara nor in the southern border region

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[1] See for instance Vletter (2002), Rocha (1997) or Hodges (2001).

[2] There is a whole area of illegal smuggling and traffic across the Angolan-Namibian border which is analyzed elsewhere but not comprised here. Within these activities, there could have been an increase in the profits of the traders but which are very difficult to assert. The smuggling of vehicles through the Oshikango border post and its connections to diamond traffic is a particularly important part of this trade. See Ray Goba, 'Money Laundering Control in Namibia', in Charles Goredema (ed) *Profiling Money Laundering in Eastern and Southern Africa*, Monograph 90 (ISS, December 2003). Additionally, see Filip De Boeck, 'Garimpeiro worlds: digging, dying & «hunting» for diamonds in Angola', Review of African Political Economy, 28 (90), (December 2001), pp. 549-562, for the northern Angolan cross-border illegal trade.

Illegal/informal logics and tax collection avoidance are at the root of border traders' profits and way of doing business. That is the main reason for the recent redirection of some of the cross-border trading routes beyond Santa Clara, to other border points in the south of Angola, such as Rundu-Calai, to the east, or the western borders of Chitado or Ruacaná. These changes produce effects on settlement patterns throughout the border, influencing urban growth.

Cross-border trade combination with other important factors establishes the way urban settlements emerge, grow, or lose importance. One principal reason for urban growth is directly related to the *geographical settings*. Both sides of bordering countries usually share common features regarding the environment – as well as ecological resources and environmental problems (Herzog, 1991) – but in many cases, other geographical reasons assume greater importance and determine the way population settlement and economic development evolve.

Small urban centres' growth in the world tends to be related primarily to market or administrative functions. Moreover, this growth may be stimulated by other factors, such as the existence of mining enterprises, tourism, border posts, river ports, educational centres, or housing structures, for instance, for migrant workers (Satterthwaite, 2006:17). Giraut identifies favourable location factors of small towns in West Africa: during the 1960's and the 1970's, a road axis location became a major factor in the emergence of a new generation of centres [other than the colonial]. "Moreover, main roads are often grafted on to one or several other space structuring elements, such as a border" (Giraut, 1997:34). When referring to border centres, says that particularly since the 1970's the "proximity to a state border has accounted for the location of a whole range of small towns, customs and trading centres. In this respect, not all borders have the same value" (idem, p.34).

In the case of Angola, it is particularly important the way a specific urban pole is integrated in the road system – and how road evolution and reconstruction is developing in Angola; how it links to more populated areas, both in-country and in Namibia. This clearly plays a central role in the growth of Ondjiva-Santa Clara, as will be further ahead discussed.

A second important factor in Angola has been the *impact of war*. After the South African invasion and subsequent war, uncertainty and martial rules dominated the whole southern region until the end of the war in Namibia in 1989[3]. The resumption of civil conflict between the Mpla and Unita very soon interrupted the scarce Namibian investment initiated in the border regions (Dobler, 2009) and greatly conditioned the trade networks Angolans had established. Between 1990 and 2002 – the end of the Mpla/Unita war – private traders took risks and maintained quite regular cross-border activity, depending on their specific networks[4]. Moreover, Kuando-Kubango remained highly militarised after the end of the war due to the existence of natural resources in the region, as well as some crossing points in Namibe.

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[3] Piero Gleijeses, 'Cuba and the Independence of Namibia', *Cold War History*, 7 (2) (May 2007), pp. 285-303.
[4] The establishment in 1985 by Unita of the *Terras Livres de Angola* (free territory of Angola), which comprised a vast region in the southern provinces, conditioned the way trade and circulation in the region was performed, who could do business in the region and how. See Ana Leão and Martin Rupiya, 'A military history of the Angolan Armed Forces from the 1960s onwards – as told by former combatants', in Martin Rupiya (ed) *Evolutions & Revolutions: A Contemporary History of Militaries in Southern Africa* (Pretoria, Institute for Security Studies, 2005).

A third factor, related to military interventions and territorial management, concerns *state and government structures*. The southern region has a particular geo-strategic importance since colonial times – which continued from that period on – with implications on the choices regarding public investment, government infrastructure distribution, and border/customs control. This also shaped the way trading informal and formal investments were carried out, and influenced urban growth.

Population dynamics, conditioned by these factors, also play an important role in the development of urban centres in the south border regions. Migration to Santa Clara border is more intense, involving not only traders, entrepreneurs and informal workers but also a whole set of other types of population, including a significant number of children (INAC, 2004). The majority is there to work in Oshikango or crossing the border with merchandise from Namibia – or, involved in prostitution because the border concentrates many trucks during the night. Most of these children were identified as coming from the southern provinces of Angola, including the Namibe and Kuando-Kubango (INAC, 2004:12). W. A. Ongaro (1998) describes in the South African case the existence of intricate collaborations among women engaged in petty cross-border trade, truckers, taxi drivers, customs officials, former mineworkers who have specialized in informal distribution systems, and wholesalers of discounted consumer goods. If this was a crucial dynamic contributing to the growth of Santa Clara, the same did not happen in Namibe and in Kuando-Kubango.

Other economic activities have also the capacity of accelerating urban growth in border regions. Dallen Timothy (1995) describes the potentials of border regions beyond cross-border trade and connected to tourism, referring to the Canadian case. "Cross-border shopping, bordertown gambling, welcome centers, and international enclaves [are] all border-related phenomena which are not in fact part of a precisely established political boundary but which owe their existence to their borderlands location". Some border related activities are also common in Africa, sometimes combining tourism and trade, designated by Christian Rogerson (2002:178) as 'cross-border shopping'. Although attempted in Ondjiva – with the building of King Mandume memorial and resort associated to it – tourism is incipient in all three provinces. Recently, the number of tourists coming from South Africa and Namibia to the Namibe desert regions and to the Foz do Cunene for fishing is said to have increased over the last five years, it not the main activity encouraging people to cross the border.

Cross-border trade also attracts different types of traders and entrepreneurs in the three regions. Although in most of the main (and secondary) crossing points trading activities are still dominated by small-scale operators, Santa Clara has now consolidated a major trading circuit, attracting varied and bigger entrepreneurs. However, Santa Clara seems to be one of the exceptions in border trade in Africa: "only small-scale operators, border populations and rebels, who have little access to major parallel currency markets normally located in urban centres, are still likely to depend on export-import circuits in their transborder trading activities" (Meagher, 2003:64). Still, as Meagher points out for the majority of cross-border situations, firms diversified into what she called "rent-seeking activities" and rarely into productive activities (Meagher, 2003:100; Hashim and Meagher, 1999)

The control of borders in the south of Angola – and the way it is carried out – also plays an important role in the development of trading activities and consequently of population settlement and urban growth. In 1985 a fenced border was built between the Ruacaná falls and the Cubango river. There is also a fence between Santa Clara and the Ruacaná, although small traffic can be done through this fence. In fact, African borders are often referred to as

permeable, which is demonstrated by the number of official crossing points in relation to the total length of the boundary lines (Griffiths, 1996:69). The same happens in Angola where only few crossing points with customs services are now active. The implications for this permeability are that people often cross the border, particularly those living near it and many times for commercial/shopping reasons. Another main reason for doing it are the existing family ties across borders. A third important reason is migration, "where international boundaries are dividing lines between significant inequalities of wealth" (Griffiths, 1996:80). During the war in Angola, the circulation of goods was almost entirely done by sea. In fact, between 1975 and 2000 there were no customs' posts in any of the borders in Angola (J.M., former Customs' Director, February 2009).

Borders are then not restrainers of trading but collaborators as they offer commercial opportunities (Grégoire e Labazée, 1993:23) and are often zones of opportunity precisely because of their ambiguity (Nugent and Asiwaju, 1996:269). This opportunity quality has been identified in many locations in Africa, in present and past times: "living on a boundary presented many advantages, the greatest of which was the ability to profit from differentials in the prices of crops and consumer goods and in the availability of commodities on either side of the line" (Nugent, 2000: 211). In Africa, trading networks have the capacity of extending their activities through vast spaces, transcending the borders (Grégoire and Labazée, 1993:10). They are highly adaptable to political, economic, and population changes (idem, p.10-11) and the different actors involved in them operate at a regional, national, trans-boundary and intercontinental scale (idem, pp.22).

Modernization of border control services (by 2002) as well as the increase of cross-border traffic allowed the substantial increase of customs' revenues in Angola (200 million dollars in the 1990's to 2 billion in 2008) but was unevenly carried out. The Southern Region customs service includes the province of Namibe (Regional Services, Namibe Port, Namibe airport and Tombwa customs' post), Huíla province (customs' post and airport), the Cunene province (customs' post, Santa Clara post, Katuitui, and Ruacaná), and Kuando-Kubango (where the posts depend of the Ruacaná post; the Rundu post is not institutionalized for customs' purposes). Santa Clara post records the higher transactions of all these posts according to the Namibe Regional Services. Due to the amount of work, Santa Clara (and Calueque) post has 91 employees, while, for instance, the Katuitui post has only 6.

Revenue collected at border posts (dollars)

	2005	2006	2007	2008	2009 (January)
Namibe	1.809.212	2.908.283.930	4.254.323.770	5.943.218.507	738.370.785
Lubango	17.373	49.432.999	97.828.161	144.550.725	5.836.464
Ondjiva	1.350.548	2.299.018.514	4.446.219.619	10.295.216.333	1.195.679.781
Santa Clara	119.032	a)	165.404.913	544.209.580	45.241.407
Katuitui	167.292	183.696.104	235.903.801	212.324.636	36.683.391
Tombwa	3.545	1.991.456	779.381	1.600.096	-- c)
Calueque		37.702.555	2.457.632	4.341.250	380.823
Lubango (airport) b)	--	--	--	11.652.637	754.808
Total	3.467.002		9.204.570.575		

a) Santa Clara records started to be included in the Ondjiva figures. The Santa Clara agents only control and register people crossing the border by foot and collect a 20% flat tax. Trucks and

bigger merchandises (over 1,000 dollars) are controlled by the Santa Clara customs services (located in Santa Clara) and registered in Ondjiva.
^{b)} Beginning in August.
^{c)} In some months of the year, the Tômbwa does not collect taxes.

However, control of the border itself did not hinder cross-border trade, legal or illegal. It only demanded for more creative solutions by the traders, more complex networks in the areas where government action became more effective.

Three different border situations in the south: uneven growth, same border

The provinces in the south of Angola were for many years left outside urbanisation dynamism, as they were not only later subject to colonisation and settlement but also because, after independence, were the main ground of war and conflicts. In 1955, when the Estatuto da Província de Angola (Statute of the Province of Angola) was published, posts were created in more difficult control border areas. In 1960 there were four: Congo (Maquela do Zombo), Zaire (Santo António do Zaire), Cunene (Forte Roçadas), and Cuando-Cubango (Serpa Pinto).

After the end of the war in 2002 – and to some extent, a couple of years before that when the government began conquering and controlling broader areas of the national territory – road reconstruction and the rebuilt of state infrastructures and services allowed population resettlement and urban growth in some areas. In each case, the courses followed in each area were different, depending specially on the importance of trading routes in each location.

In the three Angola-Namibia bordering provinces – Namibe, Cunene and Kuando-Kubango – cross-border trade has been shaped, in the last decades, by the geographic, political, economic, and population settings and conditions. War and circulation restrictions played a particularly important role in the configuration of trade networks. The existing differentiated conditions and the development of these cross-border trade networks also produced differentiated urban development. Recent reactivation of trading routes, human settlement and the intensification of commercial activities, are presently contributing to the creation of new urban poles and to the recreation of trading routes.

In one of the provinces – *Cunene* – urban growth was mainly brought on by governmental investment in resettlement and the rebuilding of administrative structures, and by the intensification of cross-border trade. Cross-border trade also plays an important role in the other two provinces – Namibe and Kuando-Kubango – but it has not grow to the levels reached in Ondjiva and in Santa Clara⁵. However, in all provinces, the reactivation of cross-border trade attracted displaced population living in other provinces (and abroad) during the war, rural inhabitants of the provinces, and a large number of people from other provinces in the country. Their concentration in bordering towns has caused substantial economic dynamism and the development of economic activities in increasingly differentiated sectors, principally within the informal economy.

Recent growth in Cunene was mainly motivated by government investment in resettlement and the rebuilding of administrative structures, and by the intensification of cross-border

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[5] Ondjiva is 40 Km away from Santa Clara by the main road. Santa Clara is located right at the border, neighboring Oshikango in the Namibian side of the fence and customs' post. Ondjiva is 415 Km away from Lubango and 1,400 Km from Luanda.

trading through the main national road to Namibia. The activation of cross-border trade in the region contributed to the growth and expansion of the capital of Cunene – Ondjiva – and to the impressive growth of the border town of Santa Clara. This has consequently required a stronger government intervention in the area of border control and custom services. In no other province in the southern region, such effort was made, as the trading activity here acquired such a large dimension, on both sides of the border (Dobler, 2009). Ondjiva Santa Clara growth is also associated to the re-establishment of in-country trading routes, connecting them to the provinces of Lubango – and from there to the major cities of Benguela and Luanda – and to Namibe. The dynamism of this area is also interesting to other investors, of the formal economy and with international connections. One example is the new project being launched presently in the Angolan side that aims competing with the commercial infrastructure on the Namibian side. The new business and industrial pole – CEK, Centro Empresarial do Cunene (Cunene Business Centre) – located between Ondjiva and Santa Clara will start with a truck port to support road trade and expand to industrial activities, associated in the future to a residential area with touristic facilities.

For many years (until 1999), Unita controlled the *Kuando-Kubango* province borders and the towns of Mucusso (four kilometres from the border), Cuangar, Calai and Lucusse have been a centre of diamond trading. Throughout that period, diamonds were used to buy commodities in Namibia and there were also Namibian traders coming to Angola to Unita towns to sell goods in exchange of diamonds (Dietrich, 2000:331). Because of its strategic importance and of the networks created then, military control in the area was intensified by the time the government recovered the area, and has been kept significantly strong there since then. In fact, to reach Rundu from Angola it is easier to travel through Namibia (Ondangwa, Tsumeb e Grotfontein) than from Angola. The border is militarized on both sides. The Angolan consulate is represented in Rundu and issues visas, which are verified by the military in Calai. Calai has always been occupied by the Unita, being its major supply point. Government control of this border point started in 2000 and from the Rundu side. Circulation through this border is also increasingly an alternative to the control in Santa Clara. "Angolan customers continued to buy in Oshikango, but exported the goods through Calueque or Katwitwi border posts, where no foreign supervisors were stationed and corruption could still flourish. Katwitwi, in particular, became a favored place through which to import goods into Angola" (Dobler, 2009:122).
Throughout the late seventies and early eighties the regional population in Rundu started to increase mainly because of the arrival of refugees from Angola. By the end of the 1970's, it was a heavily militarized outpost of the South African army for its operations in Angola (Fumanti, 2007:469). There in Rundu, from the 1980's to the 1990's, Angolan refugees saw "Unita forces right across the border" (Brinkman, 1999:421). In 1990, agreements were signed between Namibia and Angola, allowing the population living in the border area to freely circulate between countries (Brinkman, 1999:431). Brinkman accounts for more than half of the population living in Rundu in 1995 being of Angolan origin (there called Nyemba) (Brinkman, 1999:419). In fact, the population from the Kuando-Kubango depends on the cross-border trade, especially in the present post-war conditions of rural recovery. In Mucundi (main road from Menongue to Nmaibia), to buy a cow can cost from 50 to 60 thousand Kwanzas – and cattle is not necessarily always available – while in Namibia it costs between 30 and 40 thousand Kwanzas (300 to 400 Euros). Most cattle are bought in Namibia and presently, the Angolan cattle raisers do not have production to sell in Namibia (interview, Mucundi, March 2009).

Namibe population often crosses the river by boat (at the Epupa) and the main reason of going to Namibia for commercial purposes is to buy horses: "the Muhelelo and the Muhimba in

Namibia know who sells them; and the Curoca in Angola and Muhimba and Muhelelo understand each other" (interview, Soba Mbeape, July 2009). In fact, the Angolan in the Namibe province consider cattle and horse rising in Namibia more modern and state that in Namibia, "they have bigger and better stores" (interview, Njambasana, July 2009).

Cross-border trade and cross-border relations through this province have been constantly changing over the past decades and, potentially, they do not seem to lead to stable and densely populated towns in the borderland regions. Here, the military influence was also significant during the war and right after the war the military started to leave the region, leaving behind a dilapidated and degraded border control post that only recently is being recovered to control the scarce touristic caravans. The Angolan side orange tourmaline extraction spots (a partnership of Angolan and Namibian entrepreneurs) that existed there by the end of the 1980's and the beginning of the 1990's were abandoned, while mineral prospection was kept on the other side of the Cunene, in Namibia. Presently, with road control and tourism reactivation, there is only a passport control post in the Foz do Cunene for those travelling in the region, despite of crossing the border or not. The road is deviated to this post and forces drivers to pass by the control post, where a few local traders sell fish caught in the Foz.

From the Iona park people walk to Namibia as from Otjifengo to Namibia the only terrestrial route is done by foot. It takes two (one man alone) to four days (with a woman) to do this journey. The main reason for crossing this border points is to visit relatives living in the neighbouring country. There is a substantial number of families there divided by the border. Another reason is trading – especially horses – and this type of trade follows much of the traditional model, being conducted by the rural population and cattle raisers. These traditional trading routes, closely linked to the type of population and economic dynamics in the region (mainly transhumant) and to the wet/rainy season conditions for circulation, have not motivated population to settle in the border crossing points.

Conclusion

The factor that has contributed more to rapid urban growth in the provinces in the south of Angola is the increase of border trade opportunities. These have attracted a significant number of people, especially to the border town of Santa Clara. In other border points in other provinces, similar conditions as in Santa Clara were created – the end of the war, road reconstruction – but they have never attracted as many entrepreneurs and population to the bordering sites of the 1,376 km line dividing both countries.

These dynamics pose some interrogations regarding the management of border towns' growth, in Angola and elsewhere: how to profit from entrepreneurial initiatives in order to promote local economic development; how to balance state support for economy and infrastructural development in diverse conditions within the same border context; how to actually and rationally improve the capacity of border as places of opportunity. On the other hand, how far can the correlation between cross-border trade and urban growth be useful for urban planning and how can province administrative structures foresee urbanisation trends through the analysis of cross-border circulation.

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Todd Cleveland

Shifting Identities: The Changing Meanings and Implications of the Angolan-Congolese Border for Africans Operating in this Diamondiferous Borderlands Region (1917-75)

<u>Introduction</u>

On the morning of November 4, 1912, prospectors working for Forminière, a diamond concessionary company located in the Belgian Congo, found seven small diamonds in the adjacent Lunda region of the Portuguese colony of Angola. Less than five years later, on October 16, 1917, Portuguese, English, Belgian, South African and American investors formed the *Companhia de Diamantes de Angola* (Diamang) to exploit the diamond deposits that had been identified in the interim. In 1921, the Portuguese colonial government granted Diamang exclusive mining and labor procurement rights over vast concessionary areas. Using these monopolies, Diamang grew to become the colony's largest commercial operator and also its leading revenue generator until Angolan independence in 1975.

Arguably, however, the most important factor in Diamang's remarkable success in Lunda was not the company's unparalleled monopolies, important as they were, but rather its geographical adjacency to the Congo. Diamang's headquarters in Lunda, at Dundo, were a mere seven kilometers from the border. Indeed, the presence of the proximate (Belgian) Congolese border profoundly and dynamically shaped the history of diamond mining in Angola from the inception of formal mining operations in 1917 to the country's independence in 1975 and helped springboard Diamang's operations in a variety of crucial ways. Predicated on both company and colonial archival evidence, as well oral testimony from former mineworkers from both Angola and the Congo, this paper examines the Angolan-(Belgian) Congolese border region and the myriad ways it shaped the history of diamond mining in colonial Angola.

In practice, it is unclear if Diamang would have ever developed into the commercial behemoth it became if the Congolese border had been even slightly further north. In the 1910's and 20's, the Portuguese government was still busy "pacifying" the local population in Lunda; these unfavorable circumstances and Lisbon's general disdain towards (and inability to) fund colonial public works projects, including infrastructure, meant that Lunda and, therefore, Diamang was truly isolated in Angola. As such, rather than reaching the Atlantic

Ocean, and thus the world beyond, via Angola, Diamang was forced to utilize existing conveyance networks across the Congo to transport diamonds out to Europe and supplies and European personnel into Lunda. Over time, these external networks waned in importance, but Diamang never abandoned them entirely; a healthy cross-border flow in goods and personnel existed until Congolese independence in 1960. More broadly, this example of trans-national cooperation suggests that scholars look beyond the colony-metropole relationship to consider how these types of proximities may have been of equal, if not greater, historical importance for both Europeans and Africans operating in these borderland milieus elsewhere across the continent.

The border itself also acted as both a conduit and cultural marker, enabling African laborers from the Congo to reach Angola's nearby diamond mines from across this porous boundary, while still confirming their "foreignness" for both Portuguese mine administrators and Angolan mineworkers. Diamang officials came to value and rely upon these inflows of laborers, mainly ethnic Baluba who often had prior experience on Forminière's mines, promoting them to positions of authority such as mine overseers, or *capitas*. Predictably, African workers from Angola came to resent this preferential treatment and rarely mixed with this "alien" labor force. As such, workers' provenances vis-à-vis the border sharply delineated these communities on the mines, which, in turn, minimized intermingling and the type of cross-cultural contact and exchange that was so commonly found on mines across the region. Elsewhere across Africa, social relations were shaped in a comparable manner and mining operations similarly buoyed with the arrival of foreigners, welcomed or not.[1] However, perhaps in no case was this type of inflow of "foreign" African skilled labor so essential during the precarious early days of operations, providing a vital labor workforce when local residents were, at least in Diamang's nascency, either hesitant to seek employment with the company or even aggressively resisting its presence.

The border, however, also facilitated outflows from Lunda, providing limited sanctuary for Africans fleeing Angola's harsh forced labor regime (*shibalo*).[2] This form of strategic relocation happened both en masse, with whole communities trekking north, and in much smaller groups, or even by individuals – especially as Diamang consolidated its

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[1] See, for example: Patrick Harries, *Work, Culture, and Identity: Migrant Laborers in Mozambique and South Africa, c. 1860-1910* (Portsmouth, NH: Heinemann, 1994).

[2] For a comparative example from southern colonial Angola, see: Emmanuel Kreike, *Re-Creating Eden: Land Use, Environment, and Society in Southern Angola and Northern Namibia* (Portsmouth, NH: Heinemann, 2004).

regional power and strove to limit these outflows. Indeed, over time, more than one company official lamented the "regional hemorrhage" of potential recruits and existing employees north into the Belgian Congo. Although for a host of reasons these "fugitives," or *fugidos*, didn't always remain in the Congo, with some strategically crossing back and forth, the border remained an analytically salient component of this regional, bi-directional labor economy. Ultimately, this example stands in sharp contrast to southern African labor history in which waves of Africans from across the region flowed south to the South African mines, as opposed to north into central Africa.

Following Congolese independence in 1960, the border began to assume new political importance. While this dramatic development had already deeply unsettled Diamang officials, the eruption of the Angolan war for independence the following year imbued the border with even more importance, as it now served to shelter an array of incipient Angolan independence movements. Consequently, wary Portuguese colonial and mine officials began identifying Africans crossing it in either direction as potential "terrorists." These administrators no longer accepted without scrutiny Baluba seeking work at Diamang, nor were Africans headed in the other direction simply understood as Angolan colonial subjects fleeing the labor regime. Instead, in this increasingly charged environment, the heretofore innocuous act of crossing the imaginary line that divided the Congo from Angola was perceived by officials from the latter as a suspicious, if not seditious, activity.
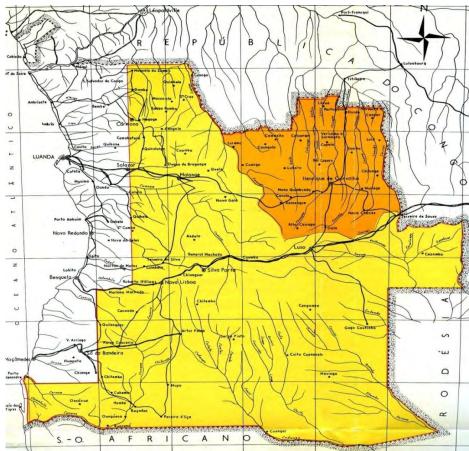
This paper argues that shifting historical contexts altered the meaning of this otherwise geographically static border, which, in turn, profoundly shaped the experiences of Africans operating in this borderlands region. It also contends that the vital cross-border cooperation in which Diamang and Forminière engaged complicates the tendency to privilege the colonial-metropolitan axis in analyses that examine how the colonial project was implemented and subsequently sustained. More broadly, it suggests that these phenomena be considered in historical analyses elsewhere on the continent.

<u>The Origins of Regional Diamond Mining</u>

Forminière

In 1906, King Leopold II of Belgium created the *Société Internationale Forestiére et Minière du Congo*, or Forminière, whose objective was mining, as well as agricultural, commercial, financial and industrial development in the Congo Free State. In return for half the company's shares, the Belgian State granted Forminière exclusive rights to mineral

exploration in an area covering between one third and one half of the entire Free State for a period of six years and the exclusive right to exploit any mineral deposits discovered within this area for a period of ninety-nine years.[3] A year later, a team of prospectors found the first diamond in the region near the Kasai River, southeast of Tshikapa, Forminière's future headquarters in the Congo. At the time of the discovery, the prospectors had paid little attention to the diamond

Map 1: Diamang's expansive concessionary area (lighter shade) and exclusive labor procurement and operational area (darker shade). Forminière's headquarters at Tshikapa can be seen just north of the Angolan-Congolese border.

because they were hoping to discover gold deposits, but when a Forminière employee in Brussels confirmed the identity of the gem, another team of prospectors left immediately for the Congo to look specifically for diamonds. This team found a significant quantity of the stones in 1911 and the following year Forminière began operations at Tshikapa.

In order to staff its mines, Forminière benefited from forced labor schemes instituted

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[3] For further information regarding the formation of Forminière, see: Richard Derksen, "Forminière in the Kasai, 1906 – 1939," *African Economic History* 12 (1983): 49-51.

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by Leopold. Forminière also attracted laborers who willingly engaged with the company, but as these workers typically sought remunerated employment only to meet colonial tax demands, to characterize their tenure with the concessionary company as "voluntary" is problematic. Between an array of "push" and "pull" factors, however, thousands of Baluba found themselves on Forminière's mines, helping the enterprise to extract diamonds from the Congolese soil and, in the process, gaining the experience that would make them so attractive to Diamang.

Diamang

As mentioned above, Forminière prospectors were also responsible for finding the diamonds that they had long suspected existed on the Angolan side of the border. For the residents of Lunda, life would never be the same. Over time, upwards of a million Angolans would labor on Diamang's mines--most of them unwillingly due to state-sanctioned, coercive labor and recruitment schemes (*shibalo*). By the 1960s, Diamang was annually employing over 20,000 African men, women and children from throughout the northeastern, central and eastern regions of Angola, in addition to others coming from the neighboring (Belgian) Congo.

Unlike in later stages of Diamang's operations, during its inaugural years laborers were not so easy to come by. As local ethnic Chokwe communities had controlled the lucrative rubber trade prior to Diamang's arrival, the prospect of providing service to either the Portuguese state or a private enterprise was rather foreign and undesirable. A 1929 company report described the labor crisis during these early years, in which African laborers at Diamang measured only in the hundreds. "The population of Lunda, scarce and without any work habits, and…still hostile to contact with the white, did not permit us to recruit a large quantity…It has been long since proven that it is rare for an *indígena* to offer his services voluntarily, from the regions pacified long ago, and even less from those in Lunda which were more recently subdued."[4]

Rubber revenues had also provided sufficient funds for local communities to arm themselves, which, in turn, enabled them to stave off regional colonial hegemony until

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[4] Diamang, *Notícia Succinta Sobre a Sua Constituição* (Lisboa: Diamang, 1929): 23. The average number of African employees in the first two years of operations was as follows: 1917--593 and 1918--830.

roughly a decade after Diamang had commenced mining operations.[5] In fact, the proximate Congolese border had helped to facilitate this resistance. After the Angolan colonial government had banned the sale of guns and gunpowder to African residents in 1913, Chokwe rubber traders simply traveled across the Belgian Congo border and purchased them at trading posts deliberately erected just over the colonial boundary. In addition to losing valuable rubber supplies to these neighboring merchants, Portuguese colonial officials also rued the further arming of local populations. A 1917 colonial official's report from Camaxilo, in western Lunda, captures this chagrin and the difficulties this arrangement was causing. "In this way…the majority of the rubber made in our territory is not sold within it…Though the sale of gunpowder is prohibited in our province of Angola, the heathens' acquisition and possession of as much as they desire cannot be avoided; and beyond this evil, there is another – the diminishment, or even death, of our commerce up to the Cuango (River)…And beyond that evil there remains a moral evil, as the heathens take the fact that we will not sell them gunpowder as a sign of weakness."[6]

Ultimately, the ongoing regional clashes that this materiel helped to fuel led to the consequent displacement of, and emigration by, local populations. In practice, both acted as impediments to the company's efforts to gain access to these vital human resources and led ultimately to the implementation of the coercive *shibalo* forced labor system.

Even prior to the institution of *shibalo* in Lunda, however, Diamang had relied on state officials to help it procure African laborers. Yet, this collaborative endeavor was largely ad hoc in nature until company officials and Angolan High Commissioner, Norton de Matos, signed a far-reaching 1921 agreement (Decree 11) that, *inter alia*, formally instituted *shibalo* in Lunda. The company's willingness to cede of a portion of its profits and shares propelled Norton de Matos to sign in the hopes of addressing the colony's fiscal precariousness, while for the company, shortages of the manpower it needed to expand production acted as the

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[5] While resistance was fierce in many parts of Angola, by the 1910s the Portuguese had pacified the entirety of the colony with the exception of Lunda.

[6] AHN (Arquivo Histórico Nacional; Luanda, Angola)- Caixa 3348 – Camaxilo - Nota N. 447 da Capitania-Mor de Camaxilo de 10 de Dezembro de 1917 to the Secretatrio do Distrito da Lunda (December 17, 1930): 1.

primary impetus.[7]

Cross-border Goodwill: Relations between Diamang and Forminière

Upon launching mining operations, Diamang faced serious operational challenges, namely a local population reluctant to engage with, or even hostile towards, it, minimal infrastructure and nominal state support. Yet, within a reasonably short period the company succeeded in overcoming these operational impediments, in great part due to the assistance provided by Forminière. Indeed, although the colonial state provided Diamang with the regional security the company required, Forminière helped the Angolan enterprise during its incipient operational period in ways that the strapped and overextended Portuguese state simply could not. As a result of this assistance and the escalating profits it helped to generate, by the late 1930s the younger enterprise had already assumed the senior position in this relationship.[8]

Forminière's assistance to Diamang during the company's tenuous early days included the provision of vital technical and administrative support, safe and efficient supply lines, and even help in repressing the regional commerce in illicit diamonds. A description by Lute J. Parkinson, who had worked for Forminière prior to joining Diamang, of the early years of the Angolan company's operations highlights the collaborative and even seamless nature of these neighboring firms. "In the early 1920s…the (prospecting team) personnel was American and consisted mostly of men who had served their early apprenticeship in developing the Congo fields…Though we had signed on with Forminière, we realized later that we had more or less been leased out or loaned to Diamang…Relations between the two companies were cordial. During the initial phase, Diamang utilized the services of Forminière, both technically and

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[7] The 1921 agreement called for the company to grant to the colonial state 40% of its net profits and 100,000 shares of Diamang stock and extended the company's concession, which had originally been set to expire in 1923, another 30 years, to 1951. Moreover, the pact formally exempted Diamang from all current and future tax obligations on profits, imports, and all of its (diamond) exports--an arrangement not even enjoyed by missionary organizations operating in the colony. For further information related to Norton de Matos' motivations and his tenure as Angolan High Commissioner, see: Todd Cleveland, *The Life of a Portuguese Colonialist: General José Norton de Matos (1867-1955)* (M.A. Thesis, University of New Hampshire, 2000), 79.

[8] By 1929, Diamang had already virtually matched Forminière's output, before permanently surpassing it in 1937. Approximate output in carats: 1917: Forminière (F) – 100,000, Diamang (D) – 4,000; 1918: F – 164,000, D – 14,000; 1919: F – 215,000, D – 49,000; 1920: F – 213,000; D – 94,000; 1929: F – 325,000, D – 312,000; 1930: 339,000, D – 330,000; 1937: F – 568,000, D – 626,000. See: TT (Torre do Tombo; Lisbon) - Cota: AMC, CX. 51, Correspondência/ SALAZAR, n.º 79, Anexo 1, Arquivo Marcello Caetano (AMC), "Comparação da produção de Diamang com as das companhias cogéeners da Bacia do Cassai, 1912-1947" (1948).

administratively."[9]

Equally important was the route to the Atlantic coast that the Congo, via Forminière's operational territory, offered, which was vital for transporting Angolan diamonds out to Europe and supplies and European personnel into Lunda. Not until the mid-1920s did a comparable road network exist in Lunda (constructed largely, and at great cost, by Diamang) connecting the Angolan company to the rest of the colony and, thus, the outside world.

Going forward, Forminière and Diamang cooperated on a number of fronts, including most closely on an issue of mutual concern: the suppression of the regional traffic in illicit stones. Over the course of Diamang's history, a small number of African employees opted to steal diamonds from the company's worksites. This activity was extremely risky, as workers faced physical abuse, jail time, exile or even capital punishment if caught. Those who succeeded sold their contraband to white employees, *sobas* (African headmen) or *capitas*, who then tapped into far-reaching networks – which often included segments in the neighboring Congo – to smuggle the stones out of Lunda to distant destinations. Unfortunately, it is impossible to quantify or even accurately gauge trends related to diamond theft because pilfering diamonds was by nature a clandestine, or hidden, pursuit. However, oral evidence and arrest rates suggest that over time company countermeasures reduced, but were never able to stem completely, the outflow of these illicit stones.

In Diamang's early years, officials reasoned that the company had little to fear from African employees because these workers allegedly didn't understand the "true" (market) value of diamonds.[10] Parkinson, for example, declared that "At the beginning (of operations) in Angola, most of the natives did not have any idea of the worth of a diamond, which was left lying around until it was turned in at the end of the shift."[11] However, by the mid-1920s company officials were well aware that employees had been taking advantage of this laxity and that the diamond enterprise had a developing problem on its hands.

Meanwhile, Forminière already had practice with diamond theft and smuggling. In 1926, a company report referenced this growing, borderlands problem. "When the

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[9] Lute J. Parkinson *Memoirs of African Mining* (self-published, 1962): 3-5. Further solidifying the relationship between Diamang and Forminière was the fact that the massive Société Générale de Belgique conglomerate was an important investor in both firms, though it had a much greater stake in Forminière.

[10] This sentiment is extremely surprising given Diamang's awareness of theft on both Forminière's mines and South Africa's array of diamond mines.

[11] Parkinson *Memoirs of African Mining* 25.

possibilities for the production of diamonds on a large scale in Angola were not well known on the international markets, the illegal exit of diamonds from its mines was nil, or insignificant; but as soon as these possibilities and the good quality of its stones became duly appreciated, the colony became the object of attempts analogous to those in other countries, such as the Belgian Congo and South Africa, that have been victimized with such great success…"[12]

Before long, it was clear that this was a trans-national issue, rather than two distinct problems contained on either side of the shared border. While many of the arrests were small-scale in nature, in 1957 Diamang uncovered a large ring of African workers with connections to the Belgian Congo. In this case, African employees were caught stealing diamonds from Diamang's Central Diamond Selection Station and subsequently informed authorities that they had African accomplices in the neighboring colony.[13] The durable cross-border cooperation between Diamang and Forminière that helped to expose these and other rings made this undertaking significantly more difficult – and thus riskier – for those Africans on both sides of the border involved in this illicit traffic.

Incoming: A Solution to the labor Shortage: Baluba Workers from Across the Congolese Border

For practical, fiscal and even contractual reasons, Diamang's geographical recruitment foci remained largely consistent throughout its existence, primarily consisting of Lunda and a series of adjacent areas in Angola to the west and south of Lunda, such as Songo and Moxico, respectively. However, ethnic Baluba, who crossed the proximate (Belgian) Congolese border seeking work with Diamang, represented the most immediate, important and

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[12] DAUC (Departamento de Antropologia da Universidade de Coimbra; Coimbra, Portugal) - Folder 86 26° - Decree no. 12:148 of August 19, 1926.

[13] Diamang, Sociedade Anónima de Responsabilidade Limitada, *Relatório do Conselho de Administração e Parecer do Conselho Fiscal relativos ao exercício de 1957* (Lisboa: Diamang, 1958): 97.

consistent source of "external" laborers.[14] In the first two decades of mining operations, Diamang came to depend heavily on Baluba. These laborers had gained valuable experience working on Congolese mines and, therefore, Diamang utilized them as mine overseers or in other coveted capacities. In turn, these prized occupational positions attracted additional Baluba to emigrate.[15]

Especially in the first two decades of Diamang's operations, the company relied heavily upon these experienced Luba workers to occupy mine overseer and other mid-level posts, or even in (decreasingly) smaller quantities, manual labor positions on its mines. In 1923, for example, approximately 23 percent of Diamang's African labor force was Luba, or 723 out of a total of 3,143.[16] Although their numbers were small compared with Chokwe laborers, they were, as one company official asserted, "…at that time precious auxiliaries, as they had previously worked for Forminière and thus had knowledge of diamond excavation."[17] Irrespective of the valuable experience that most Baluba possessed, though, their mere presence was helpful to Diamang given the difficulties in procuring sufficient numbers of laborers during this early operational stage.

Unfortunately, it remains unclear as to why these Luba workers traveled south and sought employment with Diamang.[18] This influx of Baluba is even more remarkable considering that residents of Lunda regularly fled the forced labor regime in Angola, resettling

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[14] Other "external" groups included: ethnic Kuanhama pastoralists from Angola's shared border with Southwest Africa (Namibia); residents from the colony's populous central highlands, who were meant to act as intra-Angolan colonizers; and even ethnic Mucubais from southern Angola who, based on a "rebellious" past, were seized by Portuguese forces during the Second World War and relocated to Diamang as coerced labor. In practice, the company probably labeled some non-Luba employees who had emanated from the (Belgian) Congo as Luba, preferring to simplify matters and not concerning itself with how Africans self-identified. It should be noted, however, that none of the former Diamang employees I interviewed--Luba and non-Luba alike--utilized any other term beside "Baluba."

[15] Over time, however, the growing ranks of experienced Angolan laborers and colonial legislation that targeted these foreigners served to diminish their importance.

[16] DAUC - Folder 84K3 3° - Report No. A 78, "Resume of the points discussed at the conference at Chitato, September 14, 15, 16 – 1922 and the agreements arrived at subject to the approval of the Alto Comissário" (1923): 2; Companhia de Diamantes de Angola (Diamang) Sociedade Anonima de Responsabilidade Limitada com o Capital de 9.000.000$00, *Relatório do Conselho de Administração e Parecer do Conselho Fiscal Relativos ao exercicio de 1924 Para serem presentes á Assembléa Geral Ordinaria de 31 de Outubro de 1925* (Lisboa: Tipografia de Papelaria de Moda, 1925), 74.

[17] DAUC - Folder 86 36° - Senhor Doutor Manuel Pereira Figueira, Companhia de Diamantes de Angola, "Relato sôbre Mão D'Obra Indígena" (May 18, 1938): 2.

[18] Until a full-length study of Forminière and its African labor force is conducted, these and other questions will continue to remain unanswered.

across the Congolese border. While Baluba typically drew higher salaries than inexperienced Chokwe laborers on Diamang's mines, it is difficult to estimate the purchasing power of their wages at Diamang vis-à-vis those they had earned on Forminière's mines. And, even though Diamang generally assigned Luba employees less taxing jobs, overall conditions on the Angolan mines were arguably more challenging than those they had left behind in the Congo.

Regardless of why they came, over time the relative importance of Luba laborers diminished due to the growing ranks of experienced Angolan laborers, yet Baluba remained key employees at Diamang right up until the end of the company's operations and Angolan independence. In 1943, for example, Diamang reported that Baluba constituted the majority of the company's "specialists," which included lumberjacks, carpenters, masons, electricians and steam machine operators.[19] Shortly thereafter, in 1950, the company proudly announced that a Luba worker named Mulende, who had retired on November 3rd of that year, would be awarded a pension by the company--a testament to his commitment to Diamang. By this time, Mulende had been with the company for exactly 30 years, having started at Diamang as a shoveler in 1920.[20]

Even into the 1970s, Baluba continued to demonstrate both their loyalty and utility to the company. For example, a worker interviewed in 1970 indicated that "I came to Diamang from the Congo in 1952, at 24 years of age. I first worked as a laborer, then in mine washing, and in the company workshops since 1952…I have my own house … and (am) entitled to 20 days holiday with pay each year."[21] This worker had, in fact, been interviewed by investigators from the International Labour Organisation (ILO) who were searching for signs of forced labor in the Portuguese colonies.[22] Certainly, Luba employees were among the least

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[19] DAUC - Folder 86 42º - Letter from Jorge Figueiredo Barros to Snr. Gov. Geral de Angola (March 11, 1943): 1.

[20] DAUC - Folder 86A,2 3º - Letter from E. de Vilhena to Rolando de Sousa, "Trabalhadores antigos" (January 10, 1951): 1.

[21] International Labor Conference, 56th Session, Geneva, 1971. Report III Part 4A. *Report of the Committee of Experts on the Application of Conventions and Recommendations*) Report on Direct Contacts with the Government of Portugal Regarding the Implementation of the Abolition of Forced Labour Convention 1957 (no. 105): 26.

[22] Over the 1960s and 1970s, the ILO carried out a series of investigations into labor conditions throughout Portugal's African colonies to determine whether or not Portugal was acting in compliance with ILO labor treaties that it had ratified in the 1950s. As part of these inquiries, ILO officials visited Diamang's concessionary area and ultimately called both company and colonial officials to testify at an international tribunal related to the controversy. For further information, see: ILO, Report of the Ad Hoc Committee on Forced Labor, Geneva, 1953. Memorandum of February 22, 1952; ILO Official Bulletin, # 45 (XLV) 1962. Supplement II, No. 2 April 1962. *Report of the Commission Appointed Under Article 26 of the Constitution of the ILO to Examine the Complaint Filed by the Government of Ghana concerning the Observance by the Government of Portugal of the Abolition of Forced Labor Convention, 1957* (No. 105); International Labor Conference, 56th Session, Geneva 1971. Report III Part 4A. *Report of the Committee of Experts on the Application of Conventions and Recommendations*.

likely to implicate the diamond company as part of these ILO investigations.

<u>Outgoing: Fleeing the Angolan Labor Regime</u>

Africans' reactions to the implementation of the forced labor regime in Lunda varied significantly and changed over time as Diamang aggressively consolidated its regional authority. Many residents strategically avoided recruitment by relocating ahead of the arrival in their villages of African police, or *cipaios*, demanding recruits or by deserting at some point during the post-recruitment journey to Diamang's mines. For those individuals, groups, or even entire communities who opted to flee, the porous (Belgian) Congo border offered a proximate escape.

Regardless of whether residents were fleeing the prospect of engaging in the arduous labor regimen on Diamang's mines or the violent recruitment process that preceded it (or both), given the colonial state's ongoing dependence on *shibalo* the United Nations estimated that by 1954 over half a million Angolans were either temporarily or permanently living beyond its borders.[23] In 1938, a regional administrator of a favored Diamang recruiting area foreshadowed the U.N. report, lamenting, "My predecessor, who used to directly recruit personnel for Diamang with the help of *chefes do posto* (local colonial administrators), *sobas* and *cipaios*, managed to perpetrate (such) violence and coercion against the *indígenas* that it has not failed to bring about tragic consequences. This deplorable situation spawned terror among the indigenous populations; the census…shows alarmingly decreased numbers, reducing the number of *indígenas* counted in 1931 by fifty percent."[24] A decade later, the exodus from Lunda had become such a problem that Agapito da Silva Carvalho, Angola's Governor-General, traveled to Lunda to try to identify the impetus(es) for the outflow. Allegedly, the *sobas* that he queried uniformly replied that, "Our sons don't want to work at Diamang because the company demands from them efforts disproportionate to their physical capabilities. In such conditions, many of them prefer to immigrate to the Belgian Congo, where the work is less demanding."[25] And, by 1961, Henrique Galvão, a former Angolan

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[23] ILO Official Bulletin, # 45 (XLV) 1962, Supplement II, No. 2 (April 1962): 38.

[24] DAUC - Folder 86 37º - Nota no. 531/6ª/8, from the Senior Administrador of Cassai Sul to the *Chefes dos Postos* of Cassai Sul (October 29, 1938): 2.

[25] Cunha Leal, *Coisas do Tempo Presente, I: Coisas da Companhia de Diamantes de Angola* (Lisboa: Edição do Autor, 1957): 38.

colonial administrator-cum-political agitator, was cautioning that, "Only the elderly, the children and the feeble remain behind...Angola is fast approaching a demographic – and, therefore, an economic – catastrophe."[26]

Preemptive Relocation

The type of preemptive flight alluded to in the statements above gradually became a smaller-scale endeavor, as the colonial state and company grew increasingly loath to allow mass relocations. However, even if the overall numbers of preemptive deserters decreased over time, Lunda residents continued to pursue this strategy throughout Diamang's existence, eventually "re-discovering" the Congo as either a temporary or permanent sanctuary after that nation's independence in 1960.[27] Former laborer Miudo Rafael explained how residents strategically used the border during this era. "When we heard the *cipaios* were coming, we would flee towards the nearby Congo border and would stay in *bairros* near or over the frontier for roughly two weeks until the *cipaios* had left, and then would return to our villages. I did this, too."[28] As conditions in the neighboring colony were arguably even harsher than Lunda's, however, any relocation north across the (Belgian) Congolese border is certainly intriguing.[29]

Flight during Recruitment

Others endured the recruitment process and fled only later, in response to the daily work regimen that Diamang's mines featured. Employees who opted to pursue this risky strategy were typically responding to insufficient rations and/or poor treatment on the mines. Most successful *fugidos* quickly move out of the historical record, fleeing to the Congo,

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[26] Henrique Galvão, *Santa Maria: My Crusade for Portugal* (Cleveland: The World Publishing Company, 1961): 57, 61. In 1945, Galvão, who was most likely employing inflated figures to bolster his claims, proclaimed that more than two million Angolans had already emigrated, or more than half of the African population! See: DAUC - Folder 86D 4° - Henrique Galvão, *Pontos Principais Focados na Palestra que Realizou na Camara Municipal de Luanda, em 23 de Novembro de 1945, sobre o Problema da Mão de Obra Indígena.*

[27] Due to the inaccuracy of colonial censuses, it is impossible to quantify absolutely the numbers involved.

[28] Interview, Miudo Rafael, August 15, 2005. In 1947, Diamang noted that whole villages were still disappearing, with company officials speculating that the residents had fled to the Belgian Congo. DAUC - Folder 86B,6 2ª - Letter J. Tavares Paulo to E. de Vilhena, "Mão-de-obra indígena" (August 9, 1949): 2

[29] After an initial "honeymoon period," many who had fled found the Belgian Congo to be harsher than even Lunda. Consequently, some returned to Angola. Unfortunately, little archival evidence exists to offer insight into these communities, while few informants could speak knowledgeably about them either. See: DAUC - Folder 86 37° - Nota no. 532/6ª/8, from the Administrador do Cassai-Sul to the Direcção Provincial dos Serviços de Administração Civil (October 29, 1938): 1.

sympathetic villages in the region or even daringly back to their home villages.[30] In the early years of Diamang's operations, when both the company and the colonial state enjoyed only limited regional hegemony, desertion represented an appealing strategy for workers. As Diamang and the state consolidated their power in the region during the 1930s, however, the company moved to arrest this outflow, rendering desertion increasingly difficult.

Unwilling to comply with their imposed fate, over time many recruits fled during the multi-segmented march that took recruits from their villages to regional administrative posts, or *posto*s, and ultimately to Diamang's mines. For example, Muhetxo Sapelende, who first marched to a *posto* as a Diamang recruit in 1940, recalled: "We had three days of marching; we arrived at the *posto* on the fourth day. During the march, 20 people fled!...The best time to flee was when everyone was resting, because we spread out in the bush to rest."[31] When desertions occurred, *cipaios* would then return to the village from which the *fugido* had come and demand a replacement from his *soba*, which the headman was obliged to furnish.[32] Other times, the *cipaios* would actually catch the deserters, especially, according to Luciane Kahanga, "if the deserters had no family and were living out in the countryside like goats."[33] However, the successful capture of *fugidos* was a rare occurrence and the state's preferred method was simply to demand replacements.

More dramatically, many recruits opted to flee during the long march from their respective *postos* to Diamang's mines. In the early years of the forced labor regime, recruits did this rather easily, as they often traveled to the mines unchaperoned. During the first full decade of the company's operations, records suggest that approximately 10-25% of recruits deserted after initially engaging with the company, though on occasion whole groups failed to reach Dundo and the company's mines. In turn, these mass desertions caused considerable distress for company officials and the mine bosses who had been counting on these new arrivals. A 1921 letter from a Diamang official to Angola's High Commissioner reveals both the prevalence of this strategy and the fiscal damage it caused. "About five months ago, I

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[30] In 1931, for example, Diamang reported that a number of workers were fleeing to Moxico province, aware that the company was not recruiting there. DAUC - Folder 86 23º - Diamang, *Relatório, Agencia do Saurimo, Serviço de Recrutamento* (1931): 3. Parkinson indicated that after having fled, deserters received assistance from Africans who operated canoes, helping them traverse rivers that might otherwise represent serious obstacles. DAUC - Folder 86 23º - Letter from L.J. Parkinson to H.T. Dickinson (October 1, 1931): 1.

[31] Interview, Muhetxo Sapelende, August 11, 2005.

[32] Even when *sobas* complied, they were still often beaten and/or jailed by colonial authorities.

[33] Interview, Luciane Kahanga, November 18, 2005.

requested 400 men, of which I received only 100, and 22 from another request for 100, the rest having fled…Of two groups of 30 and another of 50, not one worker arrived, and for all of them we had already paid out expenses, taxes and salaries, as well as rations…which are all…non-reimbursable."[34]

Given this financial outlay, Diamang began arranging for *cipaios* or *capitas* to accompany and watch over their human investments during this segment of the trek. From the 1930s, escalating profits enabled Diamang to either pay for the necessary personnel or ensure that *chefes do posto* made the proper arrangements. Consequently, after roughly two decades of rampant desertion, by the end of the 1930s the flood of *fugidos* had tapered off to a trickle, falling to only 2.8% by 1937. The introduction of truck transport a decade later further limited desertions, though even into the 1970s it remained rare for a group to arrive at the mines without at least one recruit missing.

Deserting the Daily Work Regimen

The first decade-and-a-half of Diamang's operations represented a period in which multitudes of mineworkers chose to flee, often causing the company major fiscal and operational problems. A 1925 company letter expressing this frustration succinctly describes how disruptive desertion could be: "Many new recruits arrive in the morning and flee at night of the same day."[35] In 1931, desertions on the Cassanguidi and Andrada mine groups crippled operations to the extent that "it was necessary to close down some of the mines in order to get the best results from the limited supply of remaining workmen."[36]

The vast majority of mine laborers who fled, did so because of the poor treatment they received and the harsh work regimen they were forced to endure. After a group of *fugidos* was apprehended in 1929, these deserters claimed that "they did not want to return because they were beaten and made to work from sunrise to sunset, and that they wanted to go to the Congo, and that is why they deserted."[37] During this period, workers' concerns related to personal health and safety at times pushed desertion rates above 40%, such as in 1930, while

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[34] DAUC - Folder 84K3 1º - Letter from Antonio Brandão de Mello to the High Commissioner of Angola (April 24, 1921): 5.

[35] AHN - Caixa 2084 "Cachingues" - Letter from O Administrador to the Snr. Chefe da Repartição Distrital de Administração Politica e Civil, Vila Silva Porto (October 15, 1925): 1.

[36] DAUC - Folder 86 23º - Letter from H.T. Dickinson to Direction Technique (November 4, 1931): 1.

[37] DAUC - Folder 86 19º - Letter from E. Machado to Direcção Tecnica da Lunda (February 26, 1929).

recapture rates remained in the low single digits.[38] Even when deserters were captured, there was little the company could do to prevent recidivism, even after a thorough hiding.

In the 1930s, the strategic viability of desertion decreased dramatically. The combination of Diamang's solidification of power and increased state-company cooperation drastically diminished the feasibility of desertion. In fact, this development was so dramatic that company officials displayed considerable dismay over an increase in desertion rates from 2.4% in 1938 to 4.1% the following year – rates that only a few years earlier would have been unimaginable (Table 5.1)

Table 5-1: Annual numbers and percentage of mineworkers deserting[39]

Year	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940
Number	1038	1127	1093	279	63	294	373	301	225	390	271
Percentage	23.13	32.4	26.8	7.1	1.5	5.03	4.52	2.84	2.4	4.1	3.3

From approximately the mid-1930s to the early 1960s, desertion rates remained stable, hovering between 2-5% regardless of the numbers of mine laborers employed. These consistently low rates notwithstanding, officials strove to further thwart the practice as they concluded that (successful) desertions begot more desertions. Even though officials were unable to completely eliminate this pursuit, when compared with the earlier period it is clear that Diamang's countermeasures were effectively limiting workers' pursuit of this strategy, as well as its allure.

The Border's Shifting Meaning in Uncertain Times: The Regional Aftermath of the Events of 1960-61

In 1960, the Congo swiftly and somewhat unexpectedly gained independence from Belgium. While this momentous occasion failed to spark an uprising in Diamang's operational area, when combined with the outbreak of the Angolan war for independence less than a year later these events acted as arguably the first "pull" factors for African employees interested in truncating their employment with the Angolan enterprise. Following the revolutionary events in Angola of February 4, 1961, for example, six-hundred laborers deserted from the company's Cassange mine. Predictably, Diamang's initial concern was for

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[38] DAUC - Folder 86 22° - *Table of total number of workers contracted by the Agência of Saurimo, pertaining to the Circumscriptions of the District of Lunda* (1930).
[39] DAUC - Folder 86 36° - Manuel Pereira Figueira, *Relato sôbre Mão D'Obra Indígena* (May 18, 1938): 39; Folder 86D 2° - *Spamoi report* (June 1941): 3.

the safety of its European employees, but after the enterprise instituted extensive security measures, it began to re-focus on the deserting African staff.

The Border's Post-1960/61 Meaning for Ethnic Baluba

Soon after the eruption of revolutionary violence within Angola in 1961, company officials recognized that at least some *fugidos* were undeniably involved in subversive activities across the border, generating considerable distress within Diamang's administrative circles. Of particular concern to company officials was the exodus of Baluba, who had historic and ethnic links to the Congo. In general, the abrupt and unexpected transition to independence in the neighboring Congo in 1960, coupled with the outbreak of the Angolan revolution the following year, had alarmed Diamang and prompted company officials to reconsider their attitudes towards the enterprise's minority Luba staff.

Coloring their outlook were reports that some of these Luba *fugidos* were helping to organize revolutionary parties, namely the *União das Populações de Angola* (UPA), which aimed to topple the Portuguese colonial government.[40] For example, on August 30, 1962, company-paid informers in the Congo reported that a Luba deserter named Belebele Omer, who had provided Diamang with over 20 years of service, was now commanding the fledgling UPA's troops.[41] In response to this new militaristic dimension of desertion, the feared Portuguese secret police, the PIDE, initiated regional operations in Lunda.[42] A 1963 report from this organization revealed the depth and severity of this wave of post-1961-inspired desertion. "Many '*trabalhadores especializados*' (specialized workers) fled to the former Belgian Congo from January to April of 1962 from Diamang…An informer tells (us) how the UPA is encouraging Angolans to flee to the Congo and to support the UPA,

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[40] The UPA, or União das Populações de Angola, merged with the Partido Democrático Angolano (PDA) in 1962 to form the Frente Nacional de Libertação de Angola, or FNLA. The FNLA continues to operate in contemporary Angola, though as a largely marginalized political party holding only a handful of seats in the country's parliament.
[41] TT - Folder PIDE/DGS Del A – P Inf – 10.06.C - *Relatório Imediato* (January 8, 1963): 1. Although Cooper persuasively argues that the contract labor system in Namibia ultimately spawned the independence movement, SWAPO (South West Africa People's Organization), these types of connections are absent in the Diamang context. Allan D. Cooper, "The Institutionalization of Contract Labour in Namibia," *Journal of Southern African Studies* Vol. 25:1 (March 1999): 138.
[42] PIDE is an acronym for: Polícia Internacional e de Defesa do Estado.

especially former or current Angolans in the military."[43] Given the newly charged environment in the colony, Diamang was treating all episodes of desertion increasingly seriously, but none more so than those involving members of its skilled African workforce, who were often Luba.[44] Company officials understood well the value of these individuals to the movements assembling across the border.

Of course, not all Baluba deserted Diamang. Despite the heightened suspicion, many Luba employees chose to remain with the company. For example, Augusto Kalanje, who had come with his parents and brother from the Congo, opted to stay at Diamang after 1960 (and remains in Dundo to this day) along with his brother, while his parents returned to the Congo. Despite the allure of the newly independent Congolese state, for Kalanje and others by this time life in Lunda with Diamang seemed more natural than returning to their ancestral, or even actual, homeland.[45] Clearly, the privileged status--even if moderated--of this minority population played a role in this decision

In preparing to defend Diamang, both the company and colonial state were convinced that the Angolan nationalist movement most likely to strike was Holden Roberto's Congo-based UPA.[46] For this reason, the PIDE began cooperating with Diamang's own intelligence division, the *Centro de Informação e Diligencias* (CID) in an attempt to infiltrate and crush these revolutionary movements. As former employee Costa Chicungo recalled, "The PIDE and Diamang's secret police began paying much more attention to what people were doing and saying. It was very dangerous to speak openly about the political situation,

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[43] TT - Folder PIDE/DGS Del A - P Inf - 11.27.D/1 - Letter from António Baptista Potier to the PIDE (January 16, 1963): 1. Specialized workers were Africans who possessed valuable skills, including, for example, heavy equipment operators or experienced mechanics. For examples of these types of desertions, see: TT - Folder PIDE/DGS Del A - P Inf - 11.27.D/1 - José Lopes, *PIDE Report* (September 12, 1964).

[44] Unfortunately, it is impossible to quantify workers' levels of flight during this period because the company stopped registering desertions after the alleged dismantling of *shibalo*. Informants' hearsay and the spate of company- and state-generated letters related to desertion and security in the aftermath of the events of 1960 and 1961, however, confirm that employees continued to pursue this strategy. Therefore, the epochal events of the early 1960s should not overshadow the steady stream of employees who continued to desert for many of the same reasons that had prompted workers to do so for decades. Ultimately, the developments in the early 1960s simply added to the array of existing impetuses that prompted laborers to flee the mines.

[45] Interview, Augusto Kalanje, November 17, 2004. Given the upheaval that followed Congolese independence, Baluba and members of other ethnic communities continued to travel south to Angola, now fleeing civil conflict rather than the Belgian colonial administration. The Baluba-Lulua conflict that erupted in 1959 acted as an impetus for this outflow.

[46] In great part, this speculation was based on company and government informants' accounts of U.P.A. intentions, which apparently included a plan to overtake the company by first seizing the main airport in Dundo. TT - Folder PIDE/DGS Del A - P Inf - 11.27.D/1 - Letter from António Baptista Potier, to the Policia Internacional e de Defesa do Estado (January 16, 1963). U.P.A. eventually became the durable, yet largely politically and martially ineffective, *Frente Nacional de Libertação de Angola* (F.N.L.A.).

the war, etc., especially because you did not know who was an informer and who was not."[47] Although Diamang lost both employees and recruits who fled to the Congo to join UPA, including many former staff members who subsequently assumed high-level positions in the revolutionary organization, the attack never came. Instead, UPA focused on areas further west to make incursions into Angola from the Congo, foregoing the riches in the Lunda soil that Jonas Savimbi's *União Nacional para a Independência Total de Angola* (UNITA) movement would later so infamously exploit during the protracted Angolan civil war (1975-2002).[48]

<u>Conclusion</u>

If the eastern portion of the border that divides Angola from the Congo has remained static since the aftermath of the (in)famous 1884-85 Berlin Conference in which the European powers carved up the continent, its meaning and implications have not. For Diamang, the immediacy of the border and, thus, the company's proximity to its Belgian counterpart, Forminière, was vital to its ability to maintain a foothold in an acutely hostile environment before it could confidently stand on its own. While the junior partner was no longer dependent on its northern neighbor when Congolese independence arrived in 1960, it still rued the loss of its cross-border ally and began to view the border with suspicion, rather than appreciation.

The political significance of the border for Africans operating in this borderlands region also changed depending on the historical context. For many decades the border seemed to attract individuals from both sides of it based on "the grass is greener on the other side" notions, while others strategically crossed the boundary back and forth in an attempt to evade the disagreeable features that both northern and southern lands respectively offered.

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[47] Interview, Costa Chicungo, May 13, 2005. Ball indicates that the PIDE also worked with company officials at Cassaquel in a similar manner. Jeremy Ball, *"The Colossal Lie": The Sociedade Agrícola do Cassequel and Portuguese Colonial Labor Policy in Angola, 1899-1977* (Ph.D. Dissertation: UCLA, 2003): 237.
[48] While an examination of why UPA (FNLA) chose to concentrate its attacks elsewhere on the Angolan-Congolese border is outside of the scope of this study, former Diamang security chief Leonardo Manuel Judas Chagas offered some possible contributing factors, suggesting that an attack on Lunda was not even a remote possibility. In addition to the number of PIDE and Diamang informants who he indicated had infiltrated UPA/FNLA, he also proclaimed that, "I had contacts with the FNLA and had regular meetings with them in the Congo. One time, I was at a party of theirs with them…and they tried to get me to sign over the independence of Angola!" Interview, Leonardo Manuel Judas Chagas, June 7, 2006. UNITA's ongoing usage of diamond profits to fund its campaign in the Angolan civil war (1975-2002) helped to prompt the Kimberley process, which seeks to prevent these sorts of "blood" or "conflict diamonds" from reaching the market.

However, with the revolutionary developments of 1960/61 investing the border with new meaning for Diamang, regional residents were consequently affected. No longer was crossing the border perceived as a harmless act; rather, it was now understood as a potentially malicious, and thus dangerous, undertaking. Only with Angolan independence in 1975 would this threat be removed, though the ensuing civil war reinvested the border with political meaning for borderlands residents.

Only the Angolan-Congolese border's regional cultural meaning(s) seemed impervious to the swirling history that whipped across and around it. Over the course of Diamang's operational history, the events of 1960/61 notwithstanding, the border consistently demarcated cultural and ethnic communities and, thus, one finds significantly less intermingling, cross-cultural exchange and external influences on cultural production than one might expect to find given the border's porosity. Luba and Chokwe communities shared an employer, but their respective provenances – reinforced by Diamang's differential treatment – served to segregate these groups on the company's mines. In this sense, at least culturally, the border retained its analytical significance long after it receded from view for those Baluba who crossed it, as well as for those Chokwe laborers and company officials who welcomingly, or otherwise, received these "foreigners" upon their arrival.

Transformation of Borderland Institutions for Transnational Exchange Markets

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Abstract

This paper answers the question: 'How is Africa Transforming Border Studies? The paper applies borderland theory, mainly, concerning with physical borders, and institutional theories in order to conceptualize how human beings set their own institutional constraints or enablers. Enacting enabling formal rules translates into across borders transnational transactions in exchange markets. This paper introduces the concepts of transnational exchange markets focusing on success stories of European Union, United States of America, and United Republic of Tanzania in historical because of enacted enabling rules and regulations within these transnational states.. It states the problem in which relates to the claim that some borderland laws do constrain transnational exchange while others enable transaction across-borders, for example on the constraining institutions within African territorial borders. The paper proposes future studies which may inform a limited body of knowledge on informal cross border trade (ICBT) in Africa. The findings will give inform law and policy makers the way forwards towards creating transnational exchange markets in East Africa community as well as the African Union. The paper concludes by attempting to answering the question "How is Africa Transforming Border Studies?" by calling for employing institutional theories in exploring how informal and formal institutions enable or constrain transactions in transnational exchange markets. It is envisaged that such a study will inform the policy makers to focus on African transformation through institutionalization of borderland enabling rules and regulations that allows free flow of goods and knowledge across physical borders. Finally, since much of trade around physical borderland in Africa is still carried out informal, the paper calls for a need for monitoring the informal trade in order to be able to document effectively the actual trade

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between African states. The documentation of ongoing informal transactions will give the basis on how transformation of borderland markets will be institutionalized in future East African community and African Union formal trade rules.. .

Introduction

From the onset, the paper acknowledges the fact that was concluded by Tlostanova that borders are not only geographic but also political and subjective (e.g. cultural) and epistemic and contrary to frontiers, the very concept of border implies the existence of people, languages, religion and knowledge on both sides linked through relations established by the colonialism. Borders in this sense are not natural outcome of a natural or divine historical process inhuman history, but were created in the very constitution of the modern/colonial world (Mignolo & Tlostanova, 2006): pg.208.

Thus, despite many borders and frontiers, African continent can be considered as a single country based on the people who reside on the continent distributed among 53 states. This evidence may be given by the African themselves especially when one looks at some ways of life such as clothing, eating habits, culture, history and geographical location. All Africans share their culture regardless of those who left the continent and those who live in Africa. There is a quite different when Africans are compared to other individuals whose origins are not from the African continent even if they are temporary or permanently residing in the continent.. For example, there are common food items such as "Fofo" which carry different names in various parts of Africa but recipes are similar all over the continent.

Just as any other human culture, people in Africa have always been involved in various kinds of trade. Taking into consideration that transnational trade takes place in the exchange market, the African communities are a basis for establishment of strong trading blocs such as East African Community or African Union. However, it is undisputed that much of trade among majority of the communities is informal. Therefore there is a strong need of ensuring that rules and regulations governing trade are enacted based on the present informal transactions. Such transnational rules and regulation will be efficient because will be easy to comply with and enforce. This paper assumes, also , that incorporating informal transnational trade rules into formal enacted rules will enable African to create a strong customs union and other trade laws that will enable free movement of goods and people for the benefit of Africa through transnationalisation..

The Economic Importance of Transnational Relations

Transanationalisation of business undertakings enhances business success. This was elucidated in writing by the classical writers such as Adam Smith and Ricardo. Even to those who did not pen their realization of virtue of the practice recognize that transnational exchange market has been the source of development. This phenomenon is not new in Africa. For example, it is transnational exchange that created the trade in West Africa among the Tuareg in Timbuktu. It is transnational exchange markets that

created slavery caravans from African and later colonization of Africa. However, as observed recently by President Obama in Accra, Ghana there is need to stop heaving all problems facing African continent on the past history injustices such as slavery and colonialism. This is because history in the world has a lot of negative perspectives such as slavery, holocaust, wars and colonization, but that need to shape the future of new nations. An example of this is positive side of what happened in the past is the way colonial powers used transanationalisation to build different factories and connect them to different markets in Africa and the World. The factories were built based on individual interests of colonial power, but African continent are still benefiting from this network on one way or another. For example the sugar industry of East African were built by the German and British colonial governance which connected them in a transnational market exchange. Until now the sugar industry of East Africa has given then a strong voice in World Trade Organization, African Caribbean and Pacific and the sugar industry of East African continue to create a platform for negotiations. The tea industry operates transnationally among East African countries as well. In short, those industries which were built based on transnational exchange markets are still the backbone of the African economies not only that they contribute in volume of tax collection, but also creation of employment.

However, after independence many of African nations have been building the industries in silos. Since African nations are isolating their industries from those of the continent as a whole, they have been building small industries which cannot expand across borders because of those barrier created by the institutional constraints. For example the studies conducted among batik women dealers in Tanzania (Kamuzora, 2005). Women batik dealer failed to capture the American Growth Opportunity Act which provides for African nations to export products in the United States. Due to the fact that women produce batik in isolation and the market in USA required export in tons, the few isolated women in the batik industry in Tanzania were not able to export batik because everybody was producing few batik products and it was not easy for them to standardize the required grade because of silo-like production. Market exchange requires enabling institutions to be able to produce required standards. .

Market Exchange Institutions

Institutions are a set of rules that constrain or enable individuals to choose a certain behaviour (North, 1990). They are rules, regulations; set of procedures that detect deviants and punish or give award to the individual economic actors based on their behaviour. The institutions determine morals, ethics, norms and values. They give incentives to the individuals to behave in a certain way. Institutionalism classify institutions into two forms; informal and formal. Referring to the institutions that are currently shaping the rules of the trading games among the borderland communities, the authors of the paper conceptualize that these rules stifle innovation and inventions of individuals transnationally. The authors demonstrate the scenario using Karagwe district in Tanzania. Figure 1 depicts location of Karagwe District as a case that the authors are interested to explain and study in the future. The institutions in this area constrain transnationalisation of transactions in the market exchange.

Figure 1: Map 1: Borderland –Karagwe District in Tanzania (depicted by a dark shade bordering Uganda and Rwanda)

Karagwe is located in the North-West corner of Tanzania and it is one of the districts in Kagera Region. Karagwe District occupies about 7,200 square kilometres with a population of about 425,576 according to year 2002 census. The population is scattered all over the fertile area. The headquarters of Karagwe district is Kayanga, but there are other small rural centres such as Nkwenda, Kaisho, Rwambaizi, Kituntu and Mabira. Traditionally, Karagwe is populated with are hardworking residents mainly of Nyambo tribe. They work in permanent crop farms of coffee and banana in which other crops such as beans are usually intercropped.

While banana plantations produce staple food, introduction of coffee in Karagwe as a cash crop made the residents to access international markets. Since introduction of coffee, coffee has basically remained the only cash crop in that area. In addition to banana and coffee, other crops that are cultivated in the district include beans, millet, peas, cassava, groundnuts, tomatoes and maize. The millet is said to be the earliest staple food of these areas including the three neighbouring countries (Katoke, 1973). According to Katoke,

wars between rivalling rulers of kingdoms that surrounded the Karagwe Kingdom before colonialism and Arab slave trade created quite mixture of different tribes in Karagwe. While majority of residents are of Wanyambo tribe, there are several other tribes in the district which include Banyoro, Nyamwezi, Wasumbwa, Bazinza, Banyarwanda, Banyankole, Baganda and Bahaya. The mix of tribes has increased after independence; making many tribes from all over Tanzania to live in Karagwe.

When the Western missionaries introduced coffee, did the same in Uganda, Rwanda and Burundi, areas bordering Karagwe. While there are several other places where coffee is grown in Tanzania, it is the interest of this paper to limit itself to Karagwe district which a borderland district. Karagwe people carry out informal transnational transactions across borders with other countries of Uganda, Rwanda and Burundi. So the same coffee crop is cultivated in Rwanda, Burundi and Uganda. Karagwe, Uganda, Burundi and Rwanda have same climatic conditions and therefore grow similar crops. However, for long time Karagwe has been facing transnational institution constraints.

Transnational Institution Constraints in Karagwe

Karagwe business undertakings have been constrained by the present rules. Since this paper is conceptual, it has no data to prove this statement, but authors have first hand experience through observation, discussion with residents, and information in press as well as other academic works such as on going green economic participatory research in Kagera which is trying to develop the value chain of the agro-industry products in Kagera (Kamuzora, 2008). It is reported and observed that farmers in Karagwe are offered low prices when they sell the coffee through Tanzanian based agents or buyers. These buyers include private and primary cooperative societies. When Karagwe residents sell coffee and other agricultural produce at higher price to Uganda buyers or any other buyers from neighbouring countries, the authorities treat such act as smuggling and it is unlawful. A lot of state resources are used to police across-border posts to curtail the practice despite the fact that all three countries are members of East African Community. Looking at the physical borders, Uganda and Rwanda are closer to Karagwe than nearby larger Tanzanian cities such as Mwanza and at times even Bukoba which is Kagera region headquarters.

Traditionally, Karagwe residents have close kinship links with say Uganda than probably with other Tanzanian neighbouring districts such as Biharamulo and Ngara. The above links were severed when current borderlines were drawn in Berlin in 1884. However, even during colonialism, transnational transactions had already been rooted among these borderland tribes of Nyambo (Karagwe), Baganda and Banyankole (Uganda), Rwandese (Rwanda) and Barundi (Burundi) during German and British colonial rules when the borders were opened for transactions. Such experience is similarly supported by findings of a recent study by which summarise this reality as follows:

> (formal and) informal trans-border trade often *reflects longstanding relationships and indigenous patterns*, which often pre-date colonial and post colonial state boundaries. Cross-border trade is often conducted among people of the same ―clan or ethnicity group (e.g., Ethiopia-Kenya trans-border trade or trade between Uganda and D.R. of Congo, Sudan, Kenya, Tanzania and Rwanda). The

communities spread along the territorial boundaries share a lot in common both culturally and socially. They speak the same or similar languages, they inter-marry and own land on either side of the borders. This alone provides an incentive to these communities to engage in trade to exploit available opportunities on either sides of the border. In the absence of formal contracts and adequate market information and when other important obstacles to formal trade prevail, trust-based networks can play an important role in establishing trade relations, although informal (Lesser & Moisé-Leeman, 2009), pg 22.

Thus, the above observation poignantly presents the situation found in Karagwe as the economy of Karagwe. This is because to a good extent therefore, a proportion of wealth in Karagwe depended much on the wealth in Uganda. For example, up to Idd Amin era (in 1970s), some residents used to travel to Uganda to work in various industries. Such supply of labour provided opportunity of supplementing farming with employment incomes. In the same vein, being in Uganda provided opportunity of observing and learning new values. Some of these values included new ways of adding value to *rubisi* which is a local brew in both the borderlands under discussion.

Value Addition to Rubisi

 Residents of Karagwe prepare at household level a local brew, famously, known as *rubisi*. *Rubisi* is made of fermented banana juice which is mixed with roasted sorghum flour. For some reasons, which include institutions arrangements, Karagwe residents have failed to innovate on banana products including *Rubisi.* This is not the case on the Ugandan side. The residents who cultivate banana in Uganda through their enabling institutions have been able to produce "Uganda *Waragi*" from *Rubisi.*

Uganda gained an international reputation in the 1960s for distilling a national gin called Uganda *Waragi*. The drink became so popular that stocks run out at various international trade exhibitions. For a while the distillery went through a rough patch when quality suffered and sales went down as the economy tottered on the brink of collapse. The gin has made a good comeback following the purchase of the distillery by a beer consortium.

The name *Waragi* was coined by Sudanese soldiers from the Turkish word "arrak'h."Towards the end of the 20th century, when British explorers were beginning to make inroads into East Africa, they used brigades Nubian soldiers of Sudan in their entourage, a hardy type who concocted the drink from grains to keep up their spirits. *Waragi* eventually became a well known distilled drink in Uganda but the colonial authorities banned it through laws which still exist in the books (non-enforceable). That colonial law banned Africans to drink Uganda *Waragi* openly.

After independence, Ugandan government ignored the law and commercialised the Uganda *Waragi* beer. The distilled Uganda *Waragi* is now being sold in shops, bars and overseas is safe enough because it is double and triple distilled from the crude alcohol which village distillers sell to the factory, where flavours are added and the harmful parts of alcohol and impurities are filtered out. Many people take drink it and it is even exported to different international markets including Tanzania. However, the same rule

that barred Africans from drinking such products is still enforceable in the Tanzanian side.

Residents of Karagwe through their family ties and frequency trade interactions with Ugandans are aware of the disparity. Unfortunately the rules in the Tanzanian side prevent them from integrating with their fellow Ugandan especially for issues of transacting banana products and coffee. The during good banana harvest periods, banana get rotten in Karagwe due to lack of both local and international markets due trade hurdles. Some of these hurdles are due to remoteness of Karagwe from other Tanzanian cities but rules deters easy trade interactions due to borderlines that were set by the colonialist have remained in the mental models of on the Tanzanian side. As stated above, Karagwe residents cannot easily access nearby markets in neighbouring countries as existing laws are against such trade interactions. The Tanzanian side strictly force them to sell their farm produce through the cooperative societies which offer low prices based on the fact that cooperative societies are monopolistic operators in the market. The residents are stifled by the institutions which are constraints when it comes to accessing international markets through cross-border trade to the neighbouring countries. In other words, quality institutions are not in place. The institutions are referred in this paper as a general term to include rule of law, and efficiency of the bureaucracy, in the case in point quality institutions measure, a broader measure would include infrastructure and appropriate policies and legal framework to undertake cross-border trade seamlessly. It is anticipated that with strengthening of East African Community some of the above problems will solved. A following section describes briefly on the community's customs union proposal.

East African Community and Proposed Customs Union

As succinctly summarized by (TISCO Consultants and Associates Ltd, 2009), East African Community comprises of 5 countries with a population of over 120 million people and a combined GDP of around US$30 billion. According to the Treaty for the Establishment of the East African Community, the first stage of the East African integration is the establishment of a customs union followed by the establishment of the Common Market. The third stage is the Monetary Union, a process that is expected to include the launch of a single East African currency. These three stages are at the heart of the process of economic integration and the foundation for political federation.

The Customs Union has been in place since its ratification in 2004 albeit with lingering disputes over non-tariff barriers, immigration and other administrative processes as well as other anti-trade practices that still dog trade between EA states.

The main goals of the East African Community Customs Union include liberalizing intra-regional trade in goods on the basis of mutually beneficial trade arrangements among the Partner States, promoting efficiency in production, enhancing domestic, cross border trade and foreign investment and promoting economic development and diversification as well as industrialization. Specifically, the EAC Customs Union is designed to create a Common External Tariff, (CET), and regime for goods originating from outside East Africa; establishing Common Customs Laws and Regulations, which will apply

uniformly in the Partner States; harmonizing and simplifying customs procedures and documentation.

The implementation of the Customs Union has raised deep-seated issues namely:
- The disparities in the economic structures of the three large partners have focused debate on issues of gains and losses from trade liberalization.
- The Common External Tariffs actually used by each country most notably for essential food crops such as grains but also for imports from the preferred trading partners of each of the member states (COMESA, SADC etc).

The EAC Partner States cooperate on different components or areas including Customs administration, trade related aspects and trade liberalization. Other components are general provisions such as trade agreements with the third countries, bilateral consultations and inter-linkage. The EAC countries have agreed on the modalities of the internal tariff elimination and common external tariff. Other issues also include rules of origin, (RoO), customs administration and documentation, harmonization of the exemption and investment promotion, competition policy and trade dispute settlement policy.

Although EU integration serves as a model example for success to be emulated in n EAC integration process; it took the European Union decades to establish a Customs Union. To this effect, EAC adopted a very tight schedule to resolve and implement the EAC Customs Union as a milestone towards a political federation. However, one needs to acknowledge a fact that Formal businesses as registered by Tanzania Revenue Authority (TRA) while much of business done in transnational borders such those in Karagwe are informal.

Trend of Exports and Imports in East African Community (EAC)

Tables 1 and 2 indicate trends of Tanzania's formal trade with partner states in East African Community in Tanzanian Shillings and United States Dollars. As shown in Table 1 Tanzania's exports to her community partners have been increasing. However, during the period under review, the years 2001 to 2008, Tanzanian exports in Tanzanian Shillings on average increased by 40% and imports increased by 23%. In US$ exports increased by 34% and imports increased by 7%. This indicates that on the whole over the period Tanzania's exports to EAC have been increasing at rates far more than rates of increase of imports from Community member states.

Table 1: **Trend of Tanzania Export and Import with East African Community Countries**

TShs million

	2001	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008**[P]
Export	38,252	39,653	89,853	103,899	108,852	135,970	262,038	373,298
% Change	17%	3%	126%	16%	5%	25%	92%	42%
Imports	94,377	94,240	129,993	150,264	181444	196,210	141,215	214,766
% Change	19%	(0.1)	38%	16%	21%	8%	(28%)	52%
Deficit/Surplus	(56,125)	(54,587)	(40,140)	(46,365)	(72,592)	(60,240)	120,823	158,532

Source: **Bank of Tanzania (BoT) Economic Bulletin June 2006 and 2008; TRA Customs Department**

P = Provisional data (figures provided for part of year)

Table 2: **Trend of Tanzania Export and Import with East African Community Countries**

USD million

	2001	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008**[P]
Export	43.7	40.8	88.5	95.4	96.4	109	172.7	291.5
% Change	7%	(7%)	117%	9%	1%	22%	59%	69%
Imports	107.5	97.9	124	137.9	160.4	157.0	106.0	168.
% Change	8%	(9%)	27%	11%	16%	(2%)	(26%)	46%
Deficit/Surplus	(64)	(57.1)	(35.5)	(42.5)	(64)	(48)	67.7	124.2

Source: **Bank of Tanzania (BoT) Annual Report 2006/07; TRA Customs Department; Economic Survey 2007**

P = Provisional data (figures provided for part of year)

In both Tables 1 and 2, however, Tanzanian's trade balances with community members have been negative except for 2007 and 2008 when there were surplus trade balances, showing remarkable improvements in trade.

On the other hand, Tables 3 and 4 give the details of Tanzania's exports and imports to and from individual community member states in TShs and US$ during the same period. Burundi and Rwanda joined the community in 2007. Tanzania had surplus trade balances with Uganda for years 2002 to 2008. Tanzania had surplus trade balances with Kenya in 2007 and 2008.

Table 3: **Tanzania's Trade with Partners in East African Community**

USD million

	2001	2002	2003	2004	2005	2006	2007	2008^P
With Kenya: Export	38.1	35.3	78.2	83.7	76.3	89.3	101.1	217.2
Imports	96.1	95.2	115.8	130.2	155.3	169.1	100.1	161.5
Trade Balance	(165.3)	(59.9)	(37.6)	(46.5)	(79)	(63.9)	1.1	55.7
With Uganda: Exports	5.6	5.5	10.3	11.7	20.1	19.6	19.0	37.4
Imports	11.4	2.7	8.2	7.7	5.1	5.3	6.4	5.8
Trade Balance	(5.9)	2.8	2.1	4	15	15.8	12.6	31.6
With Burundi: Exports	-	-	-	-	-	-	41.5	17.9
Imports	-	-	-	-	-	-	0.02	0.4
Trade Balance							41.48	17.5
With Rwanda: Exports	-	-	-	-	-	-	11.2	19.0
Imports	-	-	-	-	-	-	0.01	0.01
Trade Balance							11.19	18.99

Source: (BoT) Annual Report 2006/07; TRA Customs Department
P = Provisional data (figures provided for part of year)

Table 4: **Tanzania's Trade with Partners in East African Community**

TShs million

	2001	2002	2003	2004	2005	2006	2007	2008^P
With Kenya: Export	33,392	34,048	81,088	91,146	86,178	111,504	139,006	278,049
Imports	84,206	90,280	120,287	141,790	175,332	191,252	134,828	206,733
Trade Balance	(117,598)	(56,236)	(39,199)	(50,644)	(89,152)	(79,748)	4,178	71,316
With Uganda: Exports	4,859	5,305	8,764	12,752	22,673	24,467	25,486	47,882
Imports	9,962	2,561	8,538	8,330	5,786	4,760	6,343	7,468
Trade Balance	(5,103)	2,744	226	4,422	16,887	19,701	19,143	40,414
With Burundi: Exports	-	-	-	-	-	-	83,619	23,027
Imports	-	-	-	-	-	-	26	506
Trade Balance	-	-	-	-	-	-	83,593	22,521
With Rwanda: Exports	-	-	-	-	-	-	13,926	24,340
Imports	-	-	-	-	-	-	18	59
Trade Balance	-	-	-	-	-	-	13,908	24,281

Source: (BoT) Annual Report 2006/March 2007; The Economic Survey 2007; TRA Customs Department
P = Provisional data (figures provided for part of year)

Trend of Trade with EAC Customs Union (CU)

The EAC Customs Union protocol was signed between Tanzania, Kenya and Uganda. Burundi and Rwanda joined in July 2009.

Tables 5 shows trend of formal trade between the three countries for the years 2001 to 2008 in TShs and US$ dollars. Tanzania's trade balance with Kenya indicated surplus balance in the years 2007 and 2008. Tanzania had a deficit trade balance with Uganda in the year 2001, thereafter Tanzania has been having surplus trade balances with Uganda.

Trend in Tanzania's shares of Trade with EAU-CU

Table 5 indicates that Tanzania's shares of trade with Kenya and Uganda has continued to improve since 2006.

Table 5: **Trend of Tanzania's Exports and Imports with East African Union Countries**

USD million

	2001	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008^P**
Export	38,211	39,441	92,002	103,897	108,852	135,970	164,492	325,931
% Change		3%	133%	13%	5%	17%	21%	98%
Imports	94,168	94,192	128,826	146,779	181,118	218,331	141,171	214,201
% Change		0.02%	37%	14%	23%	20%	(35%)	52%
Trade Balance	(55,957)	(54,751)	(36,824)	(42,882)	(72,266)	(82,361)	23,321	111,730

Source: **Bank of Tanzania (BoT) Annual Report 2006/07; BoT Economic Bulletin Dec 2008; TRA Customs Department**
        P = Provisional data (figures provided for part of year)

Table 6: **Tanzania's Trade with Partners in East African Union**

TShs million

	2001	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008 ^P**
With Kenya: Export	33,392	34,048	81,088	91,146	86,178	111,504	139,006	278,049
Imports	84,206	90,280	120,287	141,790	175,332	191,252	134,828	206,733
Trade Balance	(117,598)	(56,236)	(39,199)	(50,644)	(89,152)	(79,748)	4,178	71,316
With Uganda: Exports	4,859	5,305	8,764	12,752	22,673	24,467	25,486	47,882
Imports	9,962	2,561	8,538	8,330	5,786	4,766	6,343	7,468
Trade Balance	(5,103)	2,744	226	4,422	16,887	19,701	19,143	40,414

Source: **(BoT) Annual Report 2006/07; The Economic Survey 2007; TRA Customs Dept**
        P = Provisional data (figures provided for part of year)

On the whole, since the year 2005 when the three countries started the Customs Union, Tanzania's trade balances in value terms with Kenya has improved. The positive trade balances in the years 2007 and 2008 show a marked improvement from the trade deficits for the years 2005 and 2006 and even so in the years prior to 2005. However, there is need and room for Tanzania to improve her trade performance in the community's customs union with the positive signs shown in the past two years, 2007 and 2008. These positive indications show that the country's products can sell well in East African Community Customs Union countries and actually her products can compete in those markets.

However, there is need to monitor the informal trade in order to be able to document effectively the actual trade between customs union members. In other words, informal trade taking place in areas such as Karagwe is not recorded. This is evidenced by a recent study (Lesser et al., 2009) which using a case of Uganda, which is definitely similar with Tanzanian situation. The survey revealed that informal cross border trade still represents a *significant proportion* of regional cross-border trade. In Uganda, for example, informal exports flowing to its five neighbouring countries were estimated to account for USD 231.7 million in 2006, corresponding to around 86% of Uganda's official export flows to these countries. Similarly, informal imports were estimated at USD 80.6 million, corresponding to approximately 19% of official import flows from these countries.

What East Africans can learn from the European Union?

European integration means setting the institutions that allow free movement labour, capital, goods, services and technical standards. The East Africans can learn a lesson from their previous colonial masters in a quest of forging EAC. This is because, as is a vision of EAC, the European integration is about institutional reforms on rules, regulations, enforcement procedures and trade policies, for example, agricultural subsidies. The European Union (EU) started because the countries wanted to expand transnational market exchange. The idea started in 1951 with the Paris Treaty based on European Coal and Steel Community (ECSC). That community resulted into European Economic Community (EEC) whose members were Belgium, France, West German, Italy Luxemburg and Netherlands. The EEC's objectives were to strengths free movement of people (labour mobility), products (goods), services and capital mobility. The third step was to establish European Free Trade Area (EFTA) which was formulated within eight members, but Norway turned around after referendum of 1964 and also Iceland, Leinstein and Switzerland decided to stay out of the Union. However, as depicted Figure 2, there are several stages before attaining higher forms of integration. The figure shows the rules and regulations that gave the incentives for the EU members to set up the union. The inside part shows the core interest of the member states. First stage is forming an Economic Union, and then follows the customs union as the second objective of the union which includes the Benelux (Belgium, Netherlands and Luxemburg) countries. The customs union was to support smooth transactions in the exchange market in these nations.

Figure 2: Forms of Economic Integration

Source: Hollensen, 2004: pg 182

The rule and regulations that enhanced the Benelux countries were basically focusing on common external tariffs (Hollensen, 2004). Another aim was to support export subsidies to transnational market exchange for the benefit of their members. The nations agreed on European Common Agricultural Policy (CAP) (Krugaman & Obstfield, 2003). In 1987, the European Union member countries signed the covenant on the customs union in all member countries which in turn resulted into setting up the Common Market. Another agreement took place in 1992 when opening of borders on market for goods and services started. However, a few sectors such that of motor vehicles trading was not among the agreement.

The other success story was the transformation of member states currencies into the Economic Union currency. The member countries harmonized monetary policies, exchange rate system and the Economic Monetary Union (EMU) The EMU-agreement of 1999 introduced a common currency (Euro), harmonized taxation system and government spending (Hollensen, 2004; Krugaman et al., 2003). However, some nations such as Norway are still skeptical on surrendering its national sovereignty.

Due to success of the EU more members have continue joining. Currently, there are 27 EU members, but Europe as a continent has more than 27 countries which means that there are other countries which are not members of EU. While other countries such as Norway are yet to join for different reasons as alluded to above, a number are yet to fulfill the conditions. For example, to join the EU requires some conditions such as political stability, free market economy, transparency and democracy. There are some gains from this integration which include trade creation. In order to create trade the members have

removed barriers of trade-wide choices of goods and services, no non-and tariff barriers for both consumers and producers. The huge market with harmonized trade policies has strengthened the economy with more than 300,000 million consumers.

To support the above observation, (Krugaman et al., 2003) argue that the benefit from European firms include external economies of scale (which may involve specialized suppliers), labor market pooling, and knowledge spillover. These provide the Union the strength to be resilient when there are market shocks such as the global economic crunch which has happened recently. The enhanced firms' competitiveness has raised consumer welfare because of increased choices to the consumers of goods and services. In other words, the EMU as universal exchange mechanism, benefits from European firm competitiveness, from simplified transaction costs, reducing exchange rate risks through fixed reliable stable exchange rate mechanism and reduction of information costs. However, if not done judiciously, lower trade tariffs charged between member nations can reduce trade with a more efficient non-member producer (for example USA or Japan) and increase trade with less efficient producer within the trading bloc. Moreover , the tendency of firms to produce in low cost producing countries, may affect the jobs of the Western European (rich) countries, because firms prefer to reduce high production costs found in their home countries which may result into some job loss at home. Usually less skilled jobs are the ones which are lost but those jobs which require higher knowledge intensity and which are highly paid for are retained (Hollensen, 2004; Krugaman et al., 2003). Apart from lessons from EU for EAC, another Union which may provide some key lessons is the United States of America.

The Lesson from the United States of America to EAC

The giant and powerful nation of the United States of America some history which can inform African countries. It was colonized between 1000-1764 and it was involved in a civil war in 19th century, showing that it is possible to go over such unfortunate events and attain national building. Hence some countries in Africa which have been unfortunate to experience such wars should strive for national reconciliation and build their nations. In addition, union of 50 states (close 53 of Africa) to form a most successful experiment of national building on earth (Watson, 2009). Leaving other underpinnings about borderlines and how states were created, the union of states has removed physical borderland problems among the states and created a huge economy. African countries must learn from such union. Another lesson from USA which African countries can learn from is the fact that, almost at various stages of long human of history, each country has been colonized including the USA. Therefore, African countries which are facing slow economic development may need to lessen externalizing sources of economic woes and strive to create viable and efficient institutions which will foster technological advancement and socioeconomic development to African people. The efficient institutions should be able to regulate transnational market exchange. However, the institutions are grounded in history and the following section briefly discussed role of history in institutional formation.

The Role of History

The historical transformation of institutions according to North refers to "path dependence". The path of transformation refers to society history. No society has remained intact without being affected by foreign interactions (Daley, 2005; Dugger, 1995; Gangopadhyay et al., 2004; Goldstone, 1982; Kimmel & Goldfrank, 1977; North, 1982). Human interaction has transformed informal institutions in either positively or negatively. The ways these societies have been transformed or branded with foreign informal institutions lead into informal institutional transformation towards intended formal structures. However, based on North(North, 1990) arguments, informal institutions exhibits pervasive constraints in coordination of repeated human interaction such as extensions, elaborations and modifications of formal rule. A good example is the residents of Karagwe where the informal institutions (norms and values) are may be friendly to transact with their the neighbouring countries of Uganda, Rwanda and Burundi, but due to the formal institutional constraints in the form of state controlled marketing of agricultural produce through cooperative societies with monopolistic bargaining, some economic efficiency and innovativeness have been impaired.

Enforcement of Informal Rules

Self-enforcement norms and values are more vulnerable to violation since they depend on human beings behaviour without modifications. The vulnerability increases when certain societal norms are subjected to the market exchange paradigm. Such situation is coined by (North, 1990), as "Informal constraints that arise in the context of exchange.", He adds that " but are not self –enforcing because they are more complex and however, entail features that make the exchange viable by reducing measurement and enforcement costs" This may occur only if one assumes that the market may remove constraints, asymmetric information and the consequent of distribution of gains. Doing so has an implication on utilization of resources. It is possible but this entails the possibilities of creating a situation of no exchange at all because the exchange might be unenforceable. Borrowing from (North, 1990), African nations need to learn how they can integrate informal institutions of market exchange in order to carry out transnational markets transaction.

Therefore at conceptual level, the theme of the paper, namely, Transformation of Borderland Institutions for Transnational Exchange Markets is the idea that is recommended to be pursued further by a study that in Karagwe that may answer the following questions:

- How the government of Tanzania is transforming informal rules of market exchange into formal one in order to lower transaction costs in the markets across border such as Karagwe?
- What is extent of informal cross border trade (ICBT) taking place between Karagwe and neighbouring countries? This is essential to be established since among studies such as (Ackello-Ogutu & Echessah, 1998; Lesser et al., 2009) which have established such information for other places in Tanzania did not involve Karagwe.

- What lessons to be learned from Karagwe, Uganda and Rwanda transnational exchange market in quest to enhance EAC?

The findings from Karagwe may provide additional knowledge on how African countries can transform the borderland transaction in the market exchange. Then these finding may be replicated to other places in the Tanzania border after informing the policy and law makers on the need to transform the borderland communities into the market centres among the neighbourhood countries. Given that as stated earlier much of trade taking place between Karagwe residents and the neighbouring countries so far is informal, it is expected that later more formal market transactions will take place. This is because globally this looks to be a trend as observed by North. For example, (North, 1990) uses a case the later medieval days and early modern Europe. He says the growth of more complex business forms evolved from the medieval days to modern businesses because of variety of informal institutions of early days such as early merchant's publicized codes of merchant guilds conduct.

Thus, the merchant communities organised reputation mechanisms that induced certain mutually, reciprocally social beneficial behaviour (Richman, 2004a). Richmam argues that the basic underlying structure were the same in different communities (Richman, 2004a, b). According to (Richman, 2007; Richman, 2004a, b), in these communities, parties benefit from ongoing transactions with their colleagues. In this informal enforcement of codes of conducts, if a party cheats any other party, that party's misconduct becomes known throughout the community. Based on this misconduct, no one would transact with any individual known to have cheated in the past. Therefore it is relatively easier to transform borderlands to a functioning transnational market exchange because they share common informal rules like the early merchant communities in Europe that were the basis for starting stock markets and gold standards.

What can African countries learn from its own informal rules? Since informal rules are self-enforceable, it easy to transform them into enforceable formal rules because parties are will to cooperate. The party's good reputation ensures the opportunity to benefit from future transactions induces cooperation behaviour. Richman(Richman, 2004a) refers to the Game Theory, he says that the assurance of ex post sanctions against cheaters allows those who are involved in transaction to commit credibly to fellow merchants that they will fulfil their contractual duties. In this case, Richman insists the importance of studying informal institutions, what calls private enforcement, in the developing countries where private laws are employed because reliable state-sponsored contract enforcement mechanism is unavailable, and in some countries where public courts are available but private laws are preferable (Richman, 2004a). This means transforming African borders in functioning union need studying the norms and values that governs market transactions and use those to enact formal rules governing the market of these borderlanders. In case the African Union or EAC is, there is a need go beyond political rhetoric for without effectively enabling cooperation among the borderland communities, African will never create a functioning union. It is the borderland communities who need the opening of the borders for transnational market exchange more than residents in regions without international borders. For example residents of Karagwe need effective and functioning East African Community more than residents in Dodoma which is located in the central part of Tanzania.

As stated earlier, institutions provide a structure to human interaction in the exchange markets in order to carry out transactions and individuals are bound by some common purpose (mission) and rules to play the game (Acemoglu & Johnson, 2005). The purpose of the societal rules is, therefore, to define the way the game is played. But the objective of the members of society or team within that set of rules is to win the game by combination of skills, strategy, and coordination by fair means and sometimes by foul means. Thus, modelling what strategies and skills of the team as it develops is a separate process from modelling the creation, evolution, and consequences of the rules. Therefore, both what organizations come into existence and how they evolve are fundamentally influenced by the institutional framework. In turn the rules influence how the institutional framework evolves. In other words, the rules are agents of institutional change (North, 1990). Since organizations are created with purposive intent in consequence of the available opportunities which are modified by existing set of constraints in a course of attempting to accomplish their objectives, they are equally major agents of institutional change as well.

Some studies such that conducted by (Acemoglu et al., 2005) evaluate informal and formal property institutions in developing countries where legal transplant practices are commonly observed. According to him, the developing countries experience incompatibilities of property rights laws due to several reasons such as being myopic to cultural norms and values of the country's context. Another study (Shirley, 2004) argues that institutions have a role in determining level of transaction costs. She claims that small communities produce at lower level of specialisation and rely largely on face-to-face barter trade between individuals who know one another. These individuals share kinship, ethnicity, religion or similarities, as also explained above by Richman(Richman, 2007; Richman, 2004a, b), (North, 1990) and Lea(Lea, 2002). Therefore, as it has already been stated, Africa needs to study the informal rules that govern the transnational transactions and incorporate this reality in trading philosophy based on the relevant experience of the borderlanders such as Karagwe district.

Conclusion

The paper being conceptual, has tried to address the question on "How is Africa Transforming Border Studies?" It has briefly advocated transformation of legal aspects dealing with informal cross border trade by employing institutional economics perspective. The paper has demonstrated the utility of informal institutions in African. The question of how Africa can transform border studies has been addressed by using a case of Karagwe district, Tanzania which borders Uganda, Rwanda and to extent Burundi. The case has demonstrated that cross border trade in Karagwe is mainly informal and to a large extent reflects longstanding relationships and indigenous patterns, which often pre-date colonial and post colonial state boundaries. Cross-border trade is often conducted among people of the same ―clan or ethnicity group. Similarly, the paper has pointed that with strengthening of the East African Community, if concerted efforts of understanding (through thorough studies) how to enhance and facilitate cross border trade in areas such as Karagwe, benefits wrought from the efficient trade will be essential in elevating local economic development.

The paper gives emphasis on understanding the dynamics of informal cross border trade in areas such as Karagwe because functioning market exchange requires enforceable informal as well as formal rules. This is because informal rules shape mental models which are embedded in the informal rules (norms and values). These rules shape trajectories of communities as well as countries because in a market exchange the rules create trust, enable enforcement of contracts and conflict resolutions.

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Meaninglessness of 'national' border in transnational pastoralist societies of the Ilemi Triangle - by Dr Nene Mburu.

Introduction

This paper is informed by extensive field work and desk research culminating in several publications on the Ilemi Triangle. The research is also informed by discussions with many pastoralists and current and retired administrators of the region and would like to acknowledge discussions with the late Oliver Knowles[1]. (SL2) This presentation is about the Ilemi Triangle which is a triangular shaped piece of land measuring between 10,320 and 14,000 square kilometers that sits where the borders of Kenya, Sudan and Ethiopia coincide and is variously referred to as technically belonging to Sudan or Sudan claimed, Ethiopia claimed, Kenyan by default, Kenya administered, or Kenyan de facto. The goal is to position the Ilemi triangle in the wider debate of African borders by contextualizing the meaning of 'national' border[2] in transnational societies who graze their livestock there. The paper starts by briefly teasing out the generalizability of some concepts common to the study of borders and African history, gives background history of the delimitation of the Kenya-Sudan-Ethiopia border over the Ilemi Triangle and explores some aspects of the delimitation of the contentious frontier to support the argument that 'national' borders are not necessarily central to the lives of borderland people.

Conceptual framework

The presentation would like to tease out three theories. First, in his discussion of the concept of a boundary, Brownlie says of a meeting of boundaries, in this case a tripoint, 'involves a point and not a zone of joint sovereignty'.[3] The observation, to my

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[1] In the early 1950s Lieutenant-colonel (RTD) Oliver Knowles was the District Commissioner and magistrate for the area under discussion.

[2] The terms border and boundary are used interchangeably in this paper.

[3] Ian, Brownlie. (1979). *African boundaries; a legal and diplomatic encyclopaedia*. London: C Hurst & Company. p.3.

understanding, is premised on a Eurocentric model of agreed or conclusively determined borders where transhumance and ethnic character of the boderlanders have not been central to the determination of territorial sovereignty and the tripoint is an unambiguous marking where the said borderlines coincide. What has not been considered is the case, such as we are highlighting here, where inconclusive borders of three states coincide thereby creating a zone, not a point, whose size and sovereignty are not ascertained.

Second, a lot of debate on the impact of borders tends to develop along two axes. Either that they are suffocating by virtue of including distinct pre-existing social-political units or have led to dismemberment of previous societies. But As Anene observes of the Cameroun border, the notion that colonial borders split united ethno-political groups of Africa is often exaggerated because some transhumant groups under consideration existed and still exist as fragmented or loose affiliations that do not constitute a coherent social-political unit describable as a tribe or nation.[4] Despite the borders, communities under discussion have consolidated identity and loyalty with the main element of their ethno-linguistic group and in some sense, we could claim the borders have been a catalyst for oneness and gravitational pull towards each other. Also, taking the simple definition of a border as the line that divides two countries, the main issue here is not primarily that the lines defining where Sudan, Kenya and Ethiopia coincide have led to suffocation or dismemberment of the societies living astride or in close proximity; access to dry season pastures and water is what really matters irrespective of what we perceive to be the nationality of the respective transhumant people.

Third, many scholars, such as Hertslet, 1896; McEwen, 1971; Brownlie, 1979; Asiwaju (1985); Davidson, 1992; to mention a few, have argued that the borders Africa inherited from colonialism are arbitrary although there is no conclusive evidence to suggest that arbitrary delimitation is peculiar to African states.[5] If we

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[4] See Anene, JC. (1970). *The International Boundaries of Nigeria 1885-1960*. London: Longman. pp.290.
[5] Brownlie, op cit.; Sir Edward, Hertslet. (1909). *Map of Africa by Treaty*, 3rd Edition Vol.I Nos. 95 to 259. London: His Majesty's Stationery Office.; Alec, McEwen. (1971). *International Boundaries of East Africa*. Oxford: Clarendon Press.; A. I. Asiwaju (Ed.), (1985). *Partitioned Africans: Ethnic Relations and Africa's International Boundaries, 1884-1984*. London: C. Hurst.; Davidson, Basil. (1992). *The Black man's burden: Africa and the curse of the nation-state*. New York: Times Books.

take the lay definition of arbitrary to mean random or lacking any plan or order the argument is not generalizable as the borders under discussion present a mixture of meticulous use of precision instruments to determine reference points to the minutest details of degrees and minutes but also an element of ill defined delineation and incomplete demarcation. The question is whether the term arbitrary should continue to refer to the process of imprecise or incomplete delimitation, or the outcome whether deliberate or inadvertent.

We begin by observing that before 1926 Kenya was not limitrophe with Sudan. (SL 3) The situation changed after Uganda's borders with Kenya and Sudan were adjusted which resulted in Uganda ceding to Kenya its Eastern Province, previously referred to as Rudolf Province, and the adjustment was published in the Kenya Colony and Protectorate (Boundaries) Order in Council of 1926.[6] The border was later re-defined and provisionally adjusted in 1931 on the basis of a commonsense administrative arrangement that would accommodate Turkana's customary grazing grounds in Kenya and such delimitation would be observed without prejudice to the ultimate determination of the Kenya-Sudan boundary.[7] (SL 4) In 1938, during Italy's colonization of Ethiopia the Italians laid claim to the Ilemi Triangle and constructed military frontier posts east of the triangle ostensibly to reinforce the legitimacy of their Dassanetch and Inyang'atom traditional linkage to and shared ownership of the water and pasture of the disputed triangle. Later that year the combined Sudan-Kenya Wakefield Commission was mandated to survey the Kenya-Sudan frontier and its work was embodied in an international agreement that recognized the Red Line as an administrative boundary thus placing the Ilemi Triangle under Kenya's *cession d'administration*.[8]

Henceforth, the Kenya-Sudan border was drawn with a dotted triangle at Kenya's top left corner, or Sudan's bottom right corner, with the words 'administrative boundary' or 'provisional boundary' clearly written in the middle of the triangle or along the dotted line.

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[6] Colonial Office, Public Records Office, Kew Gardens, London (henceforth CO) 822/1559 'From Governor of Uganda to Ian N. Macleod, Secretary of State for the colonies dated 18 December 1959 titled "Revision of the Kenya-Uganda inter-territorial boundary".

[7] See a detailed discussion in ; Nene, Mburu. (2007). *The Ilemi Triangle: Unfixed Bandit frontier claimed by Sudan, Kenya and Ethiopia.* London: Vita House.

[8] *Cession d'administration* means surrender of administrative responsibility which is not the same as surrender of sovereignty.

In 1950 Sudan dispatched its survey team to the Ilemi Triangle to determine grazing limits to ensure security for its ethnic communities from neighbouring pastoralists of Kenya and Ethiopia. The unilateral survey established what is known as the Sudanese Patrol Line which enlarged the area previously mutually agreed as falling under Kenyan administration. After this patrol line was established, Kenyan and Ethiopian trans-national pastoralists were excluded from pastures and water to the north and west of the grazing line. Henceforth the Sudanese government abandoned frontier policing and economic development of any area south and east of the 1950 Patrol Line which suggests territorial concession to either Kenya or Ethiopia.[9] From 1979 the political map of Kenya changed and erased the dotted line to the triangle and also, crucially, the base of the triangle. Kenya's unilateral adjustment of its border with Sudan suggests that the conditionality and provisionality of the previous border had been lifted. In theory, the unilateral adjustment is meant to accommodate the mysterious Turkana pastures that are north of the gazetted Uganda Line of 1914. But after 1926, the map of Sudan has not been adjusted to correspond to the Kenyan version of the common border. Ethiopia and Kenya have no direct territorial disputes as many were settled through several talks and treaty agreements that were made possible by personal cordial relations that existed between Kenya's Jomo Kenyatta and Ethiopia's Emperor Haile Selassie, the prevailing superpower clientele competition of the period, and common perception of threat from Somalia's irredentism, or self-determination depending on one's political persuasion, which entailed claims to Somali inhabited enclaves of Kenya's Northern Frontier District and Ethiopia's Ogaden region.[10] However any adjustment of the Kenya-Sudan border could affect the pending Sudan-Ethiopian territorial barter in which Sudan desires to annex parts of the Beyrou and Gambella salient so that it can embrace within its territory the Nuer and Anyuak societies including their clans which live in Ethiopia and in exchange cede to Ethiopia eastern Ilemi Triangle including the Boma plateau.

Transnational pastoralist societies of the Ilemi Triangle

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[9] Ibid.

[10] The issue is analysed exhaustively in Nene, Mburu. (2005). *Bandits on the Border: The Last Frontier in the Search for Somali Unity*. New Jersey USA: Africa World & The Red Sea Press.

We briefly look at the transnational communities of the Ilemi Triangle and focus on the existing trans-national ties and social-economic reciprocity to place the discussion into its proper social context and later link this to the contradictions of the delimitation of the disputed borders. In this context the author's awareness of various forms of social-economic squatting and assimilation is also informed by extensive field work on the Somali of Kenya's North-eastern Province, previously known as the Northern Frontier District, where the phenomenon of Sheghat is quite intriguing.[11]

The Ilemi Triangle derives its name from the Anyuak (Anuak) society.[12] The main trans-national pastoralists of the disputed triangle are the Dodoth, Inyang'atom, Toposa, Dassanetch and the Turkana. Each of these ethnic communities temporarily relocates into the triangle after breaking away from the main element of their society that lives in at least two countries. (Slide 5).

In the nineteenth century the Inyang'atom migrated from northern Karamoja region of Uganda and settled in the lower Omo basin. They are organized into territorial sections which have no fixed boundaries and further broken down into patrilineal descent groups or clans which are not political units. This is a main feature of their social organization which they share with other Karimojong cluster of ethnicities such as the Toposa. Today they live in northern Uganda, Ethiopia and Sudan and are known by several names, for example in Uganda they are called, Nyam-etom or eaters of elephant meat. The term has been modified to 'yellow guns' to mark their warrior's association with the fashionable AK 47 Kalashnikov rifles. In Ethiopia their name is Bume and Hum amongst their Sudanese Toposa allies. The main element of the population lives astride the Sudan-Ethiopian border, and being agro-pastoralists their transhumance is across the Sudan-Ethiopian border and also the Kenya-Sudan border to reach the seasonal pastures of the south-eastern corner of the Ilemi Triangle. The Inyang'atom have maintained very cordial relations with the Toposa of Sudan and Kenya through inter-marriage and shared religio-political ceremonies. The most notable tradition that continues today is cross-border migration during hard times where they live with the Toposa for long periods after the

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[11] Ibid

[12] The murder of the Anyuak Chief Ilemi in 1936 sowed seeds of incessant feuding and cycle of organized violence between the Anyuak and their Murle neighbours that continues to the present day.

long rains. Apart from cementing good neighbourliness the relocation allows their exhausted land to recover. Bearing in mind that the Toposa outnumber and outgun most of their pastoralist neighbours, and are spread over a large area of southern Sudan, such migrations by the Inyang'atom nowadays have the added motive of providing the guests a safe haven to escape the law or retribution from their enemies after a successful cattle raid.

The north-western pastures of the contested triangle are dominated by the Toposa who are also descendants of the Karimojong and share customs with their pastoral neighbours such as not circumcising their boys similar to the Turkana in the south, the Inyang'atom to the east, and Jiye and Murle to the north, and the Pari and Didinga to the west. The Toposa ethnic community lives in eastern Equatoria region of southern Sudan. To survive in their harsh environment the Toposa keep large herds to support their families and other social functions but the scarcity of pasture compels them to practice transhumance beyond the fringes of southeastern Equatoria into the disputed Ilemi Triangle. In the past, war in southern Sudan and marginalization by successive governments in Khartoum created deprivation in essential services for example education, veterinary services and water. However, numbering 750,000 souls, the Toposa are more populous and better armed than most of their immediate neighbours hence they frequently rustle for cattle out of necessity but also as a *rite de passage* for their young warriors. It is claimed that before the government of national unity crystallized, the Toposa had received more than 250,000 firearms from Khartoum excluding land mines.

The Turkana numbering approximately 350,000[13], majority of who are Kenyans, are scattered over a wide rangeland traversing the Kenya-Sudan border and also the Uganda-Kenyan border where their livelihood combines several means of subsistence namely, nomadic pastoralism, gathering, raiding, and fishing. During the dry season they criss-cross the Sudan-Kenya border to graze their livestock in the Ilemi Triangle for protracted periods. In the fringes of the disputed triangle their immediate neighbours to the southwest are the Didinga. The latter's traditional pastures are the better-drained hilly areas of northwestern Ilemi, but being hunters,

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[13] Population figures for trans-national nomadic pastoralists are rough estimates which should be treated with caution.

the scarcity of wild game lures them further to the east of the triangle. Turkana territorial sections, for example, the Kwatella of Sudan, Matheniko of Uganda, and the Ngibochero of Kenya have retained stronger ties among themselves than they have developed with their respective states, and transhumance into the respective neighbouring country has endured despite the borders. Notwithstanding, due to shortage of resources, greed and the proliferation of firearms has affected Turkana's tradition of social reciprocity with their allies. For example, the Turkana and Dodoth have always had unwritten mutual arrangement whereby the Kenya Turkana migrated with their livestock for long periods into Dodoth territory in Uganda after they had a poor crop on the Kenyan side and low animal productivity due to exhausted land. In return, the Turkana would return the favour by giving their hosts an agreed quantity of livestock, usually cattle or donkeys. Of late, the Turkana have refused to honour the agreement, and heavily armed as they are, resisted all forms of persuasion. The result has been sporadic fracture of relationships and forging of cross-border temporary alliances that are based on each community's perception of the prevailing threat.[14] Traditionally, the Turkana raided their neighbours using hand-held weapons such as spears, bows and arrows and their dreadful wrist knives during hand to hand combat. (SL 6) Today the Turkana and Pokot regions are awash with AK 47 Kalashnikov rifles supplied by illicit arms dealers or bartered with livestock.

Unlike the aforementioned neighbours, the Dassanetch language, customs and physical features are different. For example, they circumcise their boys and girls but the custom is abhorred by the neighbouring Turkana, Inyang'atom and Toposa, who do not. The Dassanetch straddle the Kenya-Ethiopia border with approximately one third being Kenyans and the rest Ethiopian nationals. Being agro-pastoralists, they live and practise retreat cultivation along the River Omo basin up to northern Lake Turkana where they grow some grain, but they also keep livestock. Their mode of existence makes it necessary to spread over a large part of the Omo riverine and also criss-cross the Sudan-Ethiopia border, the Sudan-Kenya border and also the Ethiopia-Kenya border to graze their livestock in eastern Ilemi Triangle. The

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[14] There is a detailed discussion of security implications in Nene, Mburu. "The proliferation of arms in Turkana and Karamoja districts: the Case for Appropriate Disarmament Strategies" *The Journal of Peace, Security and Development* 2 no.2 (2002).

Dassanetch are certainly not outgunned by their neighbours as they not only comfortably defend their turf but frequently carry out long range raids against the Turkana and the Inyang'atom.

Dassanetch community is divided into eight clans which are not independent political units but elements of one ethno-linguistic group. Numbering approximately 20,000 people, of whom one third live in Kenya and two thirds in Ethiopia, the Dassanetch are known as people of the delta in reference to their home in the confluence of the Omo River and Lake Turkana which is a wetland measuring approximately 250 kilometers across its widest point. They are traditionally agro-pastoralists and are renowned for having large stocks of cattle and camels and growing a lot of grain. However, due to recent poor harvests and protracted drought the community has struggled to maintain its traditional livelihood and a minority of the community has settled in the north-eastern part of Lake Turkana where they fish and hunt for crocodiles. The crocodile hunters are called Dies to despise them as poor and miserable because they do not have cattle. Their situation is viewed as temporary and they are expected to return to the 'normal' life of agro-pastoralism at a later date. Interestingly when the Dies want to marry, their kinsmen of Ethiopia or Kenya, who are pastoralists, will support them with the appropriate bride-wealth they need to exchange in order to marry. In hard times, they squat amongst other Dassanetch across the border where they live until they have sufficiently recovered economically. The Dassanetch have always traded with each other for beads, cattle, camels, and hand-made ornaments, and more recently, small arms and ammunition unconcerned by the border that separates Ethiopia and Kenya.

Historical contradictions of 'national' borders in trans-national societies

Many portions of the borders that mark the Ilemi Triangle are inconclusive and vague. An example is the portion of the Kenya-Sudan border from Makonnen Cherosh to the Kenya-Sudan-Uganda trijunctional point near Mt Zulia which up to now has never been demarcated.[15]

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[15] See Colonial Office Records Public Records Office Kew Gardens London (hereafter CO) CO 533/390/2 'Situation on the Sudan-Kenya-Uganda frontier, Draft Order in Council' Secretariat Minutes NLND 1/1/4 II dated 20 June 1930.

Another example is when demarcating the Red Line colonial surveyors did not travel the entire length of the border to place their pillars on the ground yet they were able to describe a point on the peninsular of the Sanderson Gulf to which the borders of Sudan, Kenya and Ethiopia should relate. Hence, variable interpretations of where the borders of the three countries coincide suggests that surveyors were nowhere near the water mass they were describing and may well have been deceived by a mirage. What we have to remember is that the Berlin Conference of 1884-85 which launched the partitioning of Africa did not require colonizing powers to demonstrate physical connexion with the territories they claimed to be within their sovereignty.

It comes as no surprise therefore that some of the treaties delineating the regions under discussion were fraught with contradictions that lend weight to the meaninglessness of their delimitation. Two examples of some clauses contained in the delimitation of the Sudan-Kenya border and the Ethiopia-Kenya border will shed light to the subject under discussion. We begin with Sudan's border with British East Africa (Uganda and Kenya) which Britain delimited in 1902. At the time, Sudan was jointly administered by Egypt and Great Britain under the terms of the arrangement known as the Anglo-Egyptian condominium. The delimitation, which described Sudan's southern border as roughly running along latitude 5^0 eastward to the northern end of Lake Turkana was known as the Uganda Line and published by the Uganda boundary Order-in-Council of 1902. The border was vague in many respects necessitating a readjustment by the boundary Order-in-Council of 21 April 1914 which added to Sudan the territory roughly from 4^0 37′ to latitude 5^0 to coincide with the previous 1902 Uganda Line. The adjustment was gazetted as the 1914 Uganda Line.[16] Describing the Red Line, appendix A of the rectification implies that Sudan's southern border should not prevent trans-national Turkana pastoralists from accessing their traditional pastures in Sudan in one clause that allows the border to run along: (SL 7)

'A line beginning at a point on the shore of the Sanderson Gulf …thence following a straight line, or such a line as would leave to Uganda the

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[16] Uganda published the notification because its eastern province extended to Lake Turkana (previously Lake Rudolf) and neighboured Sudan. Also, consult CO 533/380/13 'Memorandum on the history of the boundary between Kenya and Uganda'.

customary grazing grounds of the Turkana tribe'[17]

Several contradictions emerge; a) by calling it a line, the perception is that the border is a rigid or fixed surveyor's meridian but its observance on the ground would be as a flexible grazing frontier to accommodate characteristics of transhumance. Arguably the inclusion runs contrary to the spirit of a border as a determinant of who the other is and *ipso facto* defining the self and bequeathing membership in the political unit. We say this because when observing the fixed meridian, territorial component of national identity is distinct, but as a grazing limit, us and them are indistinct. b) Turkana's perception of the length and breadth of their grazing grounds did not coincide with the geometrical boundary. Then as now, key characteristics of a grazing frontier include the ability to close in during the rainy season when there is plenty of pasture and water and extend further afield during the dry drought. The latter makes sense today because when the delimitation was made the region used to experience a brief period of drought once every ten years. However, in the last two decades, there is drought every four years and each is more severe and lasts longer than the previous one. c) Calling it a line did not corresponded to strategic considerations of security as the Turkana needed to deny their traditional enemies access to hilly terrain in the north from where they easily rolled down to raid Turkana livestock in the low grounds. It also meant that Kenyan troops would have to patrol and erect police posts to the north of this line to block Ethiopian and Sudanese pastoralists encroachment on Turkana's ancestral pastures; d) Finally, 'thence following a straight line or such a line as' lacks the specificity required of a border and does not enlighten us on the course of action to be taken if its description on paper or observance on the ground at any time did not enclose within Uganda Turkana's traditional pastures.

By being state-led, colonial treaties and borders imposed formalities to relationships that were previously informal, were fraught with inconsistencies, and in many cases

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[17] See CO 533/537/8 'Description of the Red Line'. Also, Kenya National Archive (KNA): DC/ISO/2/5/5, 'The Kenya / Sudan boundary and the Elemi Triangle' a report from the Provincial Commissioner Northern Frontier Province, in Isiolo District Reports.

lacked the ownership of the people whose lives they were meant to control. For example, whilst delineating their common border in 1907, Great Britain and Ethiopia were not precise whether the Kenya-Ethiopian border would be observed as an open or closed frontier and failed to precisely address the central issue of water and pasture in one treaty clause which states:

(SL 8)

"The tribes occupying either side of the line shall have a right to use grazing grounds on the other side as in the past, but during their migrations it is understood that they shall be subject to the jurisdiction of the territorial authority. Free access to the wells is equally accorded to the tribe occupying either side of the line".[18]

On the one hand, the clause implies that we have a flexi-border in which nomadic pastoralism would continue as before and in a way that membership to a particular sovereignty is not particularly relevant. On the one hand, we have a rigid border by virtue of subjecting trans-national pastoralists to the jurisdiction of the territorial authority. To this day, it remains unclear how any government could monitor, let alone control, trans-national migrations across a porous border whose position on the ground remains unknown to the nomadic pastoralists and unclear even to local government officials.

Meaninglessness of national borders

It is persuasive to argue that as colonial borders were imports of the state and the concept of territorial delineation of sovereignty foreign to traditional African political thought, with the notable exception of some pre-colonial empires such as Abyssinia, for a 'national' border to be observable its description must make sense to the lives of the people it seeks to separate or lump together. The involvement of the local people will ensure there is a purpose for the delimitation and their security,

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[18] Command Papers Public Records Office Kew Gardens London (hereafter Cmd.) 4318 'Agreement between the United Kingdom and Ethiopia relative to the frontiers between British East Africa, Uganda and Ethiopia,' treaty signed at Addis Ababa by the Emperor Menelik II and his Britannic Majesty's charge d'affaires on 6 December 1907, published in Treaty Series no. 27 (1908).

social-political and economic interests will be safeguarded. That was often not the case in the region of study and some of the survey work was incompetent, inconclusive and the description in parts of the Ilemi Triangle so vague that today we cannot state with certainty the size of the disputed territory or where the frontiers of each of the respective countries commence or terminate. A few examples will illustrate this point.

(SL 9) Parts of the Red Line[19]use impermanent objects thus creating scope for variable interpretation at a later date. For example, border point (BP) 6 is described as 'a prominent tree on the slope of the north-western spur of Kolukwakerith'; BP 16 is 'A distinctive and blazed brown olive tree in the midst of the forest'.[20] A key descriptor of the Kenya-Ethiopia-Sudan border meeting point in south-estern Ilemi Triangle is Namurupus village which has long moved and no one can accurately point the extent and breadth or general location of the village surveyors saw in 1907. The other problem with the borders in this area is their tendency to relate to shorelines of the available water mass. For example, the right side of the Ilemi Triangle is described as 'a line running to the creek at the south end of Lake Stefanie, thence due west to Lake Rudolf, thence north-west across lake Rudolf to the point of the peninsular east of the Sanderson Gulf'. In addition to the description being vague, Lake Stefanie is known by different names and the Sanderson Gulf has long dried up. Other descriptions relate to Lake Turkana water's edge. However due to ecological and human factors the shoreline of Lake Turkana has receded significantly which makes the location of this border imprecise.

We could further add that borders can be meaningless and the theory of dismemberment irrelevant in the context of some transnational societies, for, contrary to the purpose of separating the societies, some borders of Africa have resulted in ethnic solidarity and reinforcements. The argument is valid for any porous border whether we refer to one that is marked by conspicuous terrain feature or an invisible surveyor's meridian. Examples from the eastern Africa region will illustrate this point.

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[19] Also known as the Wakefield Line after the Sudanese head of the combined Kenya-Sudan survey team.

[20] For a detailed description see, Mburu op cit 2007.

The Ethiopia-Kenyan border from Namurupus in Lake Turkana eastward splits many societies making them trans-national. In particular, from the intersection of River Dauwa and River Genale eastwards to Mandera the Ethiopia-Kenya border runs along river Dauwa for more than one hundred kilometers which slices through several ethnic communities, clans, sub-clans, and sub-sub-clans, for example of the Borana, Ajuran, Garre, and many more whose main elements are in Ethiopia or Kenya. Proximate neighbors use and share the river, which is a flexi-border without any immigration post or official crossing point, grow crops along its fertile riverbanks especially after flooding and graze their animals in surrounding pastures without recourse to violent competition that could be directly attributed to the border. Due to its characteristic of seasonal flooding and change of course, River Dauwa can reasonably be described as artificial as a surveyor's meridian, yet it has not been the source or catalyst of cross-border conflicts.

Another example is the 750 kilometer Kenya-Somalia border that runs from Border Point 1 in Mandera to Ras Chamboni slicing through various clans and sub-clans of the Somali society mainly. As argued elsewhere the Shifta war in Kenya's north-eastern province was not just motivated by irredentism in the sense that Somalia sought to expand its borders to unify all five Somali speaking enclaves of the Horn of Africa, it was also a desire by the enclaves to break out of the post-colonial state, erase the artificial colonial borders and be united with their separated brethren of Somalia.[21] The author's frequent research in Kenya's northeastern province suggests that the Kenyan Somali today is more aware of and passionate about what is happening in Somalia than in Kenya. Hence, contrary to the intention of dismembering societies, these national borders described above have resulted in ethnic reinforcement or gravitational pull to each other.

Summary

The borders of Sudan, Kenya and Ethiopia coincide at the Ilemi Triangle forming a territory, not a point, whose size is up to now not conclusively determined. Since the Wakefield Commission of 1938, there has been no treaty agreement to redefine the Kenya-Sudan border but it is fair take the view that there has been no overt disagreement or dissent with Kenya's unilateral administration and absorption of the Ilemi Triangle in its

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[21] Mburu, 2005

sovereignty. In this respect, administrative acquisition of a territory without a treaty agreement does not necessarily amount to irredentist behavior. Second, giving too much attention to the impact of a 'national' border insofar as it suffocates or dismembers traditional societies may not be consistent with what the affected trans-national societies on the ground think, especially nomadic pastoralists. They continue to interact whether violently through raiding or competition for political space, as well as forging bond alliances and partnerships and establishing peaceful social-economic reciprocity, as did their fathers before them, oblivious of the surveyors' meridians that are meant to isolate or embrace them. For the pastoralists of the Ilemi Triangle, the national border is not a determinant of identity. It is irrelevant. But their ability to access pastures and water wherever they can be found, and, in an area awash with guns, assurance of physical security, are the things that really matter and are central to their existence. Third, the vast body of information on the arbitrary character of the borders Africa inherited from colonialism need to be revisited as evidence does indicate that when it suited them, colonial authorities did carry out meticulous delimitation and demarcation tasks. The question scholars should ask is, given that the colonizers had the competence and resources to precisely delimit their sovereignty, how come so many borders, as the case in the Ilemi Triangle, were not conclusively defined? Finally we conclude that the disputed area has not featured prominently in any of the countries domestic or foreign policies despite sporadic armed resource conflicts that continue to claim lives and lead to destitution and degradation of the environment. Apart from alluvial gold, no strategic minerals have been discovered in the disputed triangle but the situation could change in future if the area is confirmed to contain oil reserves or similar strategic minerals hence it is important to urgently determine the territorial sovereignty of the Ilemi Triangle.

Marginal Hotspots: African Border Boom Towns
Gregor Dobler, University of Basel & Wolfgang Zeller, University of Helsinki

Research on African borderlands has in the recent past grown to such an extent that one can argue it has become a sub-field in its own right. The fast-growing membership and ability to attract resources of ABORNE and various ongoing research projects are a clear sign that this fact is being increasingly recognized by scholars looking for fresh material in field- and archival work, as well as those who decide on funding priorities. Much of the work done in this field over the past couple of years has ex- or implicitly been concerned with the co-existence of multiple forms of regulation that are typically encountered on political and economic frontiers. The borderland has been discovered as a dynamic space defined by boundaries that do not demarcate its edges, but ist centre - both in a geographical sense, as well as in terms of what happens there. This dynamic space is often a kind of social furnace where new forms of governance, regulation etc. are molten, forged and recast, historically and in the present day. Of crucial importance to the observations made by many colleagues is that these are not simply "marginal" or "local" phenomena. If we are interested to better understand how central state power and transnational flows of goods and people are constituted in everyday reality, then studying events in borderlands can be highly instructive.

With so much interesting work going on and more under way in the coming years within ABORNE it is clearly time to reflect on the question "where do we go from here"? What fields of theoretical and empirical exploration and what kind of methodological innovations are likely to result in contributions of broader relevance beyond simply adding more case material to a loosely defined field of "borderlands studies"? Answers to these questions will likely be explored in various panels and plenaries of this conference. In this first sketch of a joint paper we would like to introduce a topic we believe is both specific enough and of wider relevance to warrant further exploration. It may also be a crossroads where two major strands that are well-represented within ABORNE but have previously caused debate over the focus of the network's agenda could be brought and explored together: These are –loosely defined - the fields of transnational flows of people and goods over long distances across borders, and the more grounded, if not less dynamic features of everyday existence at the border. Both obviously are fundamentals of life in borderlands, but the question is: What empirical settings can we find to explore these two as non-separate from each other while keeping them analytically sufficiently distinct to avoid having nothing specific to say about either of them?

For some time now, we have both been interested in what we call "border boom towns".

Our interest has been originally ignited by observations we have made over several years in two urban centres in northern Namibia: Oshikango on the Namibia-Angola border and Katima Mulilo on the Namibia-Zambia border.

Brief details about Oshikango and Katima Mulilo here, or does it make it too long?

Presentation:
Show before & after fotos

In contrast to "borderlands" border towns are rather clearly defined localities that have names, inhabitants, institutions, associational life, buildings, roads/transport links, check points, markets and archival records attached to them. In contrast to, but also intensely interacting with that which stays is that which passes through. Border towns are always both gateways plugged into long-distance lines of power and exchange as well as locations of intense social life. The heat of rapidly changing circumstances in booming towns makes them particularly useful places to observe what is newly forged and what does NOT change so much, and consider how and why this is so. In our experience, all these features make border boom towns excellent places to study. In order to justify this proposition, we will explore each element of the term "border boom town" for the rest of this concept paper in a little more detail.

1. Border
International boundaries are the limits of territorial jurisdiction and therefore provide a key condition which other places do not offer: The proximity of more than one realm of political and economic regulation. This crates opportunities, as many have observed before us. ~~So at borders, differences create opportunities.~~ We see three main variants in which borders create economic opportunities:
Firstly, differences in national regulations may directly lead to price differences. This is often the case for different tax rates, especially on highly taxed goods like petrol, alcohol or cigarettes. But price differences may also be due to price regulation – for example in the former cotton monopoly in Ivory Coast –, to state subsidies on staple foods or simply on differences in national purchase power leading to different pricing. Such price differences can be directly exploited by smuggling or by imports below taxation thresholds.
~~Perhaps even more importantly,~~ _Secondly,_ borders create opportunities by providing loopholes of regulation. Often, the legal status of goods is well defined in both countries, but the transfer from one regulatory system to the other is not as clearly regulated. This creates loopholes. By bringing goods across a border, people can make them change their status. Variants of this are round_-tripping, faked exports or creative invoicing or simply tax evasion through bribery.
Thirdly, two national markets which can be characterized by a different structure of demand and supply are meeting at borders. Prices and market chances for many goods differ in neighboring countries, and borders are places where these differences can be used[A1].

Any combination of these variants turn borders into economic hotspots. Under certain conditions, situations of rapid change can evolve around points where people cross the border: where roads or railway lines meet the border, near mines or agricultural or near industrial centers whose output is exported This sometimes multiplies the opportunities linked to a border and concentrates them at a specific place where one can make _radically_~~a~~ better use of the opportunities than anywhere else. These are points where border ~~boom~~ towns can _become b_ ~~develop[A2]~~order boom towns.

2. Boom

~~So what happens in these border boom towns?~~
~~If we had more than 20 minutes, we would differentiate between different types of border boom~~ ~~towns.~~ The dynamics of border booms are very different depending on certain variables, like town history, administrative involvement, types of trade and investors and so on. Here, we will lump them all together and be very sketchy.

The first thing one observes in border boom towns is rapid change. The economic opportunities attract many people. Towns are often growing very quickly – more quickly than planning (if planning there is) can react. New town quarters are typically built by in-migrants close to the business core. In them, people from different backgrounds come together and negotiate elements of a new social order. As the business core grows, these spontaneous settlements are often relocated to the periphery. In some towns, this process unfolds several times, leading to a constant shuffling of social spheres.

When a boom starts, the future boom town is often at the periphery of state interest, a backwater place at the margins. This means that local economic and political players are relatively free to establish their own order. Land sales are rarely formalized, businesses tend not to pay taxes, labour contracts are often precarious (while wages might be higher than elsewhere due to the sudden and often high demand for labor), pubs, discotheques and bordellos open whenever they please…

Perhaps more importantly, economic and political decisions are taken in ~~as informal ways – or at~~ ~~least in~~ ways that often differ from ~~not completely controlled by~~ those officially prescribed~~the~~ by state regulation – to put it mildly. B

~~All in all, b~~oom towns in this early phase ~~are~~ typically evoke images many of us would recognize from Wild West movies~~settings~~. Rules can be changed ad hoc, and official state rules are less important than locally negotiated ways of doing business. This makes boom towns enormously flexible and increases the economic opportunities the boom offers. – It does create certain dangers, as well, even to the powerful, who may try to protect themselves from theft, fraud or power challenges by creating their own enforcement agencies which can challenge state authority at a later stage – but that cannot be more than an aside here.

To sum this up: economic opportunities plus rapid social change plus relatively weak local state intervention culminate in a boom that, for some time, reproduces its own conditions, increases economic opportunities and accelerates social change.

So much is true for all boom towns. Border boom towns differ in one important point: the conditions they live are socially created. It is not the presence of natural resources or the strategic condition relative to landscape features which makes them blossom, but the regulatory regimes which they allow to bridge. This has at least three consequences.

Firstly, border boom towns start in marginal places, where that transition can be influenced by local players.

Secondly, business in border boom towns very often partly relies on illegal transactions. For that reason, they create a fertile ground for a special kind of businesspeople – let's call them the less official kind, but very often also the more energetic kind.

Thirdly, because the boom rests on regulation issues, regulation can also to a large degree destroy its conditions. Just as mining boom towns can disappear when there's no more gold to mine (at least as long as they have not transformed into something else, see below), trade boom towns can go down when the border is abolished, or when cross-border regulations change.

Today's trade policy is indeed intent on creating conditions under which there is no need for border boom towns. 'Transport corridors', for example, are thought to replace the border town by a road linking places of extraction, production, and consumption like a pipeline. ~~two countries;~~ Everything happens where the road starts or ends. Ideally, you no longer even have to stop on the border. Wolfgang uses the image of the Teflon tube; everything just flushes through without "friction" or "leakage"~~, and nothing sticks in it~~. In that model, there is no need for a border town and no space for a boom on the border. It is true that corridors lower transaction costs for larger-scale businesses. But the appeal the transport corridor has for both the state and larger businesses is that it eliminates those shady places on the border where you need to be present in order to know how to do business. The Teflon tube, at least in theory, de-spatializes cross border trade. It never works out like this, of course, but that is a different story.

This leads us to the fourth feature of border boomtowns: Other than transport corridors, the trade that goes on in border towns actually integrates two economies. Instead of trying to abolish the differences and frictions between the two sides, border boom towns thrive on these differences, on the need to bridge them and on the opportunities they create. But the local dynamism is never independent of global dynamics. The opportunities are local; but the factors determining who can profit from them have to be seen on a global scale. Coltan trade may create a local boom in Eastern Congo, but its market is global. In Northern Namibia, Angolan demand creates a market for used cars, but what cars are bought and sold by whom is influenced by Japanese taxation and Pakistani laws on expatriates. Chinese traders participate in many trade booms, not because of their local knowledge, but because of international differences in productivity and wage level.

So much for the boom~~ — and again: this cannot be more than a quick overview~~.

Now to the third part:

3. Town

If the boom lasts long enough, the boom town usually becomes more stable, and a certain political institutionalization sets in. This can take several forms, from Arkansas regulators to mafia governments. We are particularly interested in those cases in which the official state imposes its rules and thus changes the boom situation.

Statehood in many African countries has a sporadic character. The central state does not continuously interfere in every area, but it has the capacity to impose its institutions at any given place. This is important for the historical trajectories of boom towns. They often emerge in places where state control is weak. But once the boom becomes visible, it can attract the interest of the state.

There are several reasons for this. The first one is obviously economic. In the first phase of the boom, revenues for the state are not as high as they should be – taxes are not paid, customs'

duties do not come in, land is occupied without formal titles and so on. The second reason is – the reasons of state itself. State power can be endangered by the dynamics in border boom towns. New players emerge and gain an economic power basis which could eventually threaten state rule. Even if that does not happen, the very fact that the boom thrives on circumventing certain rules can be alarming for state authorities, as they counter the state's claim on the monopoly of violence.

Now, state interventions in borderlands are often not very successful. Smugglers look for different routes; traders integrate customs' officials into their patronage networks; activities are relocated. Only few states manage to control their entire border area. (One might also argue that few states want to control their entire border area tightly, as this would eliminate possibilities of public and private gain – but that is a different discussion.)

Border boom towns differ from the normal cross-border trade: they are simply too conspicuous and too immobile to be hidden or quickly relocated. Once a town becomes established enough, it attracts customers and becomes the place to do business; so if you want to do business, you have to be there. Their very success thus leads boom towns away from the conditions of flexibility under which they started to grow.

This opens up possibilities of successful state intervention. For new boom towns, an important step in this is often when official town administrations are established. The boom town is recognized as something permanent. At this moment, a more methodical regulation by full-time administrators sets in. It's usually a very interesting moment, in which many things can happen, depending both on the local dynamics and the characteristics of the state which intervenes.

Most often, the result is a certain accommodation between the local forces and the official state rules. The administration needs the cooperation of businesses, and the businesses are interested in influencing the administration. Very often, administrators use their position to tap into business resources on a local level, while they have to hold up the official facades towards the central state. The result is a co-existence of official and officious rules. This permits a certain continuing flexibility and creativity on the business side, which keeps opportunities high; at the same time, it allows the state to cut off some excesses and to regulate the less important areas of public life.

The balance which is eventually found differs from town to town. Different trajectories are possible. Over the years, the boom town might turn into a normal town with the same amount of regulations as inland towns, and a stable business life. Regulation might squeeze the boom to such a degree that companies start to migrate to other places and the boom turns into bust. Or local powerful players might take over the administration and continue to run the town according to their own interests.

In the first two cases, and perhaps in the third, as well, the boom town ceases to be just that. The unique social situation of rapid change combined with economic opportunities and partial regulation which characterizes the boom town ceases to exist. A new normality in a more stable social situation is established – the boom town has become just a town.

But some forms of regulation, practices and memories remain imprinted in town history, social, political life, imagination of the town?

And that is where we have to leave it for now, although we were only able to give a really brief overview of some of the important topics linked to border boom towns in Africa. We hope that you will bring up many more interesting topics, and perhaps challenge some of our wilder generalizations in the discussion.

Between state and society – local government in South African and Kenyan border districts

Tara Polzer and Jacob Akech[1]

Abstract

Introduction

Borderland studies has paid relatively little attention to local government in border areas. Studies which focus on borders as boundaries of the state and the state's management of the border tend to take on the state's own view that border management is a national government competency and responsibility (REFERENCES). From this perspective, local governments located in border areas are either considered irrelevant or merely extensions of national governments. For researchers concerned with borderland societies and social responses to borders, local government is also often conflated with the broader 'state', which borderlanders either ignore, evade, manipulate or internalize (REFERENCES). In this paper, we argue that it is important to study local government in border areas as an arena of negotiation and action in its own right. Borderland local governments have dynamics which are separate from national governments, particularly as regards their closeness and accessibility to borderland residents. Local government can therefore represent an important site of contestation between state and population, especially regarding the question of who is considered a legitimate resident of a border area.

Contestation over legitimacy of residence is reflected most obviously in localised forms of government service provision to mobile populations living in border areas. This is particularly the case where relatively open borders with cross-border ethnic groupings are characterised by significant population movements. A classic opposition in borderland studies is the state's narrow and static classification of borderland residents

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according to citizenship versus various more flexible and multi-faceted social classifications of mobile residents on grounds of ethnicity, length of stay, economic function, etc. (REFERENCES). In contexts where the local manifestation of the state, in the form of local government, grants service access to certain categories of non-citizen borderland residents – whether formally or through informal means – this supposed opposition becomes a more subtle negotiation between state and population. This paper reflects on contestations over local government service provision and mobility in two border districts: Nkomazi Municipality in South Africa which borders both Mozambique and Swaziland, and Busia Municipality in Kenya, bordering Uganda.

We first discuss the ways in which a focus on local government speaks to current debates in African (and 'southern') borderland studies. After briefly outlining our methodology, we then present our two case studies, outlining their respective border histories, social and economic contexts and local government structures. We then illustrate the tensions between local government mechanisms as, on the one hand, representatives of the state, and on the other hand, beholden to and directly engaging with the borderland population. We do this by discussing the conditions which keep local government actors in both case studies from formally engaging with mobile populations in their local service planning *policies*, and, in contrast, showing how local government *practices* nonetheless enable service access to mobile populations in various ways.

Local Government in Border Areas – between State and Society

Localised government service provision, in this case, means not only services provided through the local municipalities and councillors, but also those national government line agencies which provide services at the local level, including education, health care and police.[2] We also do not limit our analysis to the formal processes of government service provision; indeed, we describe how and why local governments in border areas often do not formally engage with the border or with cross-border population mobility at all in their official policies or their planning documents. Nonetheless, we show how various elements of local government practice (rather than policy) enable flexibility and negotiation where there is a discrepancy between official state-based and popular

'community'-based conceptions of who has a legitimate right to be present and receive services in the borderland.

Related themes in African borderlands research

1. Government perspective:

- where central governments are not very interested in incorporating borderlands into the overall polity, and where borderlanders find central authority oppressive or foreign (ethnically, politically, etc.), it is interesting to look at the role local government in border areas plays in mediating between the state and the population:

  ** national government manages the border line, but local government manages the border region.

  ** what is the relationship between government efforts to manage space and population movement through space (national competencies) through the border, and government efforts to manage development/services and populations in relation to development (local government competencies) along the border? What are the budgeting and planning mechanisms and how are these affected by being close to a border (especially borders with high mobility)?

  Even if a municipality's services were inclusive of all the people resident within its territory, migration by its very nature changes the spatial reference point for planning. Kloppers' work in the South African KwaZulu-Natal border area with Mozambique supports many of the conclusions of our research in Nkomazi and Busia. He states that 'the relatively free movement of people across nation-state borders belies census-based planning in demarcated development zones that do not have local legitimacy' (Kloppers 2006:155).

  ** what is the actual reference point for a borderland local government – the distant national government/core which often isolates or marginalises the border area, OR the political and economic connections centred around the border, which make the border area an economic resource?

  While the border municipalities studied here are politically and economically marginal within their countries, the formal border crossings located on their

territory provide significant political and economic potential. Politically, both municipalities could be key in developing concrete cross-border collaborative models and practices as part of the respective regional integration projects: the Southern African Development Community (SADC) and the East African Community (EAC). Economically, the border posts are potentially one of the most significant sources of income for the municipality through taxes and fees on cross-border transport, trade and related services.[3]

2. Spatial and systems perspective

- Local government service provision planning and practice is where spatial discrepancies are played out:
  - State: spatial reference points around national and municipal borders
  - Economy: spatial reference points around cross-border opportunities, trade, smuggling, etc.
  - Society: spatial reference points around cross-border social networks, ethnicity, traditional governance structures, etc.

3. Institutional negotiations perspective

- discrepancy between policy and practice in African states in general, and especially regarding the 'performance' of formal state power in border areas (David Coplan; Chabal and Daloz, etc.). The aim or purpose of government actors is not necessarily to be efficient and effective, but only efficient enough to create incentives to pay to circumvent.

A commonly emphasised characteristic of local government in the 'south', including in both of our case study countries, is that it is the level of government with the least capacity to plan, implement and monitor service provision. The connection between human and financial capacity, effective migration management practice and inclusive service provision is not obvious, however. The comparison of Nkomazi and Busia suggests that more formalised and institutionalised planning may end up being more exclusive and less adaptable to mobile populations than case-by-case or privatised service planning.

Also look at the extent to which (local) government actors are social actors embedded in the local social reality (REFERENCES), so themselves torn between (or using spaces between) bureaucratic logics of the central state and the social logics of the communities from which they come and which they relate to.

Themes in research on local government

The case for understanding the local mandates and capacities for borderland management in local government is part of a wider debate on the value of decentralisation in enabling local government to be more flexible and responsive to changing service provision conditions on the ground (Barkan and Chege 1989; Mitullah *et al* 2005; Muia 2005, 2006; Oloo 2006), including those created by movements of people.

Methodology

The research on which this analysis is based was carried out in two field work phases in Busia Municipality (7–21 August and 21 October–2 November 2006) and two field-work phases in Nkomazi District (2–9 and 21–25 March 2007). The research was conducted as a collaboration between the Forced Migration Studies Programme (FMSP) at the University of the Witwatersrand, South Africa and the Centre for Refugee Studies, Moi University, Kenya.

Key informant interviews were conducted with a wide range of formal institutional actors in both locations, including municipal managers, mayors, councillors, police, school principals, representatives of trade associations and individual business people and traders, departmental heads of government line agencies dealing with education, security, trade and trade licensing, customs, and identity documentation, as well as 'traditional' leaders including traditional authorities and *ndunas* in South Africa and *liguru* in Kenya. We also interviewed residents and informal actors including citizens and non-citizens who used the education system, were involved in formal business and small-scale trading including smuggling, and had encounters with the police. In total, we conducted 77 interviews in and around Busia and 43 around Nkomazi municipality.

South African and Kenyan borderlands – a comparison

Nkomazi and Busia districts share important commonalities regarding historical and current migration patterns and border regimes. In spite of significant differences in local government structures in the two countries, it is possible to draw out some common challenges and responses in the face of similar borderland mobility context factors. These challenges and responses suggest lines for further enquiry on local governments in other border areas.

South Africa and Kenya are both regional leaders in Southern and Eastern Africa, respectively; both have been affected historically by a combination of forced and economic migration from poorer and politically unstable neighbours (Mozambique and Uganda, respectively); and both are the somewhat ambivalent economic and political hubs of regional integration projects. They therefore have had to respond to similar national and regional tensions and challenges in the management of mobility in their border areas.

Our analysis focuses primarily on local level dynamics. Both case studies represent municipalities on major cross-border transport routes. Busia town and municipality is on one of the two main roads connecting Kampala and Nairobi (the other road crossing through Malaba), while Komatipoort town and Nkomazi municipality are on the only route from Johannesburg to Maputo. Nkomazi also borders Swaziland but without a major trading route. Both border areas have cross-border ethnic communities. In Busia, the Teso, the Samia and the Luhyas span the Kenya/Uganda border, and in Nkomazi, the Shangaan live in both South Africa and Mozambique, while the Swazi are in South Africa and Swaziland. In all cases, there are cross-border community structures, including kings, chieftainships and ethnic associations. Furthermore, in both cases, the border towns are relatively cosmopolitan spaces, with business people and residents from all over the respective countries, in contrast to a largely ethnically homogenous rural hinterland. In the South African case, this division between urban and rural was formalised through the existence of the KaNgwane (SeSwati-speaking) 'homeland' from the 1970s until 1994, into which black residents were forcibly settled and denied the right

to live in the white-dominated towns and commercial agricultural lands. Although the rural and urban areas are now integrated into one municipality, the historical partition continues to leave a clear spatial, institutional and socio-economic legacy. In Busia, there is an institutional division between the Municipal Council in charge of the town and the County Council responsible for the rural areas within Busia District.

Further parallels include changing border regimes and different waves of migration in both cases. All three borders (Kenya/Uganda, South Africa/Mozambique, and South Africa/Swaziland) were colonial impositions without any natural geographical markers and so are easily physically passable apart from man-made barriers. The political significance of the borders has changed radically over the past 30 years, in response to shifting political (in)stability and relationships between countries. Political instability has tended to lead simultaneously to a hardening of the borders and increased migration across them, showing that formally closed borders rarely stop actual movements of people.

The border between South Africa and its eastern neighbours became highly fortified from the mid-1970s due to the opposition of the newly independent Mozambique and the Kingdom of Swaziland to the South African white-minority government (Kloppers 2006:157). When the Mozambican civil war broke out in the late 1970s and escalated in southern Mozambique in the mid-1980s, the border fence was militarised and even electrified with lethal voltage for several years. Nonetheless, hundreds of thousands of Mozambican refugees fled into South Africa between 1985 and the end of the war in 1992, mostly settling in the border areas among co-ethnic communities (Polzer 2007). After the end of the civil war in 1992, many remained on the South African side of the borderland. This movement continued a long historical tradition of labour migration from southern Mozambique into South Africa, including to the commercial farms of the border area (Katzenellenbogen 1982). Labour migration from Swaziland into South Africa has also been a mainstay of both the Swazi and South African economies for centuries (Leliveld 1997).

With the liberalisation and democratisation of the South African regime from the early 1990s, the border control regime was somewhat de-securitised but still patrolled by the South African army until 2005 when border control was progressively transferred to the

police (Steinberg 2005:2). The continued philosophy of controlling (rather than facilitating) movement through the borders did not, in practice, make them less porous, and unknown but high numbers of people from neighbouring countries and further north on the continent came into South Africa from 1994. The Lebombo border post in Nkomazi is one of the main points of entry to the country for people from all over Africa (Community Agency for Social Enquiry (CASE) 2003). Although Mozambicans were allowed to enter South Africa on a short-term visitor's visa for many years, this visa was very expensive, leading to high rates of border jumping. The visa fee was waived in September 2004, resulting in a massive increase in formal border crossings through the Lebombo border post.[4] Citizens of Swaziland, in contrast, have for many years not been required to have a visa for visits of less than 30 days. Although there is only one official border crossing into Mozambique from Nkomazi and two into Swaziland, and the rest of the border is fenced, there are many informal border gates, especially on the Swaziland border, which are used by local residents to visit relatives and neighbouring communities on the other side, as well as for smuggling of goods.

The border between Kenya and Uganda was entirely open throughout the colonial period. This continued after independence and was formalised when the East African Community was established in 1967. Busia town was first established as the district headquarters in 1963, but received an economic boost when Ugandan President Milton Obote evicted Kenyans, including workers, business people and trade unionists, from Uganda in 1971 (Mamdani 1976), some of whom settled close to the border and started businesses. With the rise of Idi Amin's rule of terror in Uganda in the mid-1970s, the East African Community collapsed in 1977 leading to a closure of the Kenyan–Ugandan border and the development of a highly militarised border zone. Ugandans fled into Kenya in this period, with further waves related to political upheavals in 1979 and the early 1980s, and the brief border skirmish between Kenya and Uganda in 1987. The border remained closed during the years of *détente* until 1993, when the border was reopened with the signing of the Treaty for East African Co-operation.

While the border at Busia was closed and militarised, the movement of people in the border area was constrained compared with the colonial and early independence period, but the conflict-wracked Ugandan economy created a massive market for smuggled goods across the border, for which Busia was a major gateway. This was facilitated by

the boom in coffee prices in the late 1970s and the desire of Ugandan coffee growers to sell their goods outside the controlled Ugandan market. The period when the border was closed is therefore remembered with nostalgia as the 'golden age' of business by Busia's residents.[5] With the opening of the border, the elimination of many customs duties in the 1990s, and the collapse of global coffee prices, much of the smuggling economy through Busia also collapsed, while small-scale informal cross-border trading remains a mainstay of the economy. In contrast to the largely fenced South African/Mozambican border and the somewhat fenced South African/Swaziland border, there is virtually no fence or infrastructure along the Kenya/Uganda border outside the immediate border posts, which facilitates both cross-border community interactions and informal cross-border trading.

In terms of economic structure and actors, the two cases are quite different. Busia town's economy is almost completely oriented around cross-border trade and is made up of a large informal business sector; formal retail and wholesale; and long-distance transport sectors. The formal and informal retail businesses in the town are dominated by Kenyan ethnic groups who are not indigenous to the area (especially Kikuyu, Luo and Kenyan Somalis) but who have settled in the area in recent decades to capitalise on the border economy. Significant economic actors also include small-scale traders from Uganda and traders and long-distance truckers from around the region, including Somalia, Rwanda, Burundi and the Democratic Republic of Congo. The Busia rural hinterland, in contrast, relies largely on subsistence agriculture since the cash crop, cotton, collapsed in the 1980s.

While there has been and continues to be some informal trading across the South African border as well, it has not been an economic firelighter as in the case of Busia, and the economic basis of the border towns and countryside are quite different. While Busia town's trading economy is openly oriented towards cross-border trade, including servicing the needs of long-distance truckers, neither the Mozambican nor the Swaziland border crossings have bustling trading towns attached to them and the nearest formal and informal trading centres (Komatipoort, Naas, Schoemansdaal and Kamhlushwa, respectively) are several kilometres from the borders. The traders in these towns say that cross-border trade is only of secondary significance to them.[6]

Nonetheless, cross-border migration has long played a central role in the local economy. There is a highly commercialised sugar cane and citrus agricultural sector in rural Nkomazi, which attracts, and in fact depends on, large numbers of farm workers from Mozambique and Swaziland. The formal farming and retail economy is almost exclusively controlled by a single domestic minority: white (largely Afrikaans-speaking) South Africans. The informal town economy is split between local black SeSwati-speaking South Africans and traders from Mozambique, while the rural retail economy has in recent years become increasingly dominated by business people from the Indian subcontinent (locally known as 'Pakistanis'), Somalia and Ethiopia, who have often extended small general goods ('spaza') shops or opened shops where there were previously none. Apart from these small shops, there is virtually no economic activity in the densely populated former 'homeland' areas, including almost no subsistence agriculture. Residents depend on wage labour on the commercial farms, on government welfare grants or on migration to larger cities for work.

Another significant difference between the South African and Kenyan experiences is the level of discrepancy in development and service standards in the neighbouring countries and the directions of migration. While Kenya's overall economy is more developed than Uganda's and there is a hospital in Busia-Kenya and not in Busia-Uganda, other services are comparable or better in Uganda and migration is in both directions. There are some Ugandans who seek work in Kenya and many Kenyan businessmen in Uganda. Furthermore, children and youth move in both directions for education. While South Africans sought protection in Mozambique and Swaziland during the liberation struggle until the 1990s, today, movements between the countries are predominantly unidirectional into South Africa, due to the much higher level of economic development, employment and service availability in South Africa compared to its neighbours.

In summary, both cross-border and domestic mobility have been long-standing but shifting elements of everyday life in both municipalities, and cross-border mobility has always been central to the economic fortunes of both areas. It could therefore be expected that local government actors would incorporate the awareness and explicit management of cross-border mobility into their service planning processes. This is not, however, the case. The next section outlines the different forms of local government in

both case studies, which are nonetheless constrained by similar factors in their ability to formally engage with the local reality of cross-border mobility.

Local Government Structures: factors limiting formal responses to mobility in border areas

Local government structures in Kenya and South Africa have different histories and current institutional, legal, administrative and financial degrees of autonomy. Technical and skills capacity building at the local government level is a stated priority in South Africa[7] but not in Kenya, and significant financial resources are channelled through South African local government while Kenyan local government is chronically under-funded (Mitullah, Odiambo and Akivaga 2005). As in all countries, the specific problems of local authorities differ depending on the respective resource bases and administrative capacities. Nonetheless, our Kenyan and South African border municipalities evidence the same institutional and attitudinal orientation toward and dependency on central government. In both cases, this leads to a reluctance or inability to reflect local social realities as related to the border-zone (rather than national or international models) in service planning.

The institutional design of Kenyan local government authorities has been influenced by the extreme centralisation of power in Kenya and the historical reluctance by the central government to give autonomy to local authorities. The post-independence government justified centralisation by the need to create and retain the powers of a unified state against perceived centrifugal forces, including race (in the immediate post-independence period) and ethnicity (Gertzel, Goldschmidt and Rothchild 1969), and partly by the supposed lack of skilled administrators in the country at independence (Oyugi 1983; Smoke 1993). The design of lower levels of government has therefore consistently been based on the political needs of the centre rather than on the service needs of local populations. This has included the marginalisation of local government from participation in development delivery. Most of what is known as the provincial administration system today (such as the Provincial Commissioner, District Commissioner, and District Officer) is not based on any legislation but is rather a direct and discretionary extension of the

President's Office. Only the position of the Chief,[8] who acts at the level of the location, is an independently legislated local government role.

The centralisation of power in the Kenyan system and the subordination of local government to central government are illustrated by the concentration of decision-making, revenue-raising and spending power in the national Ministry of Local Government. Municipal, County and City councils can be disbanded by the Minister at any time without local consultation, for example, and all professional hiring decisions and virtually all budgetary and spending decisions have to be made directly by the Ministry rather than at the local level. Many of the top positions in the local bureaucracy, notably the Town Clerks, are appointed centrally with individuals who are not necessarily from the local area where they serve. The dependence of appointed local government employees on the national Ministry, rather than being accountable to the local population, contributes to high levels of corruption and embezzlement of local government funds (Mitullah *et al* 2005). Local councillors are directly elected by local democratic mandate but have very little power to plan or implement local programmes without the Minister's approval. The population therefore has a very low expectation of local government as a service provider. Government services such as education, health and policing are provided by line ministries which are also directly managed from the capital.[9] The implication is that there is very little formal service provision by local government in rural and border areas, including virtually no public infrastructure such as water and sewerage or services like waste removal. As discussed below, however, there are various ways in which local government officials play informal roles in allocating resources and access to services which are significant in understanding contestations over who has a legitimate right to services in the border zone.

South African local government structures are significantly more decentralised and independent than in Kenya. However, the real independence of local authorities has been severely constrained by fiscal dependence on central government transfers, and a lack of local human capacity (Simeon and Murray 2001). During the negotiated transition in the 1990s which led to the current post-apartheid system of local government, similar arguments were made as in Kenya for a centralised, unitary state against a federal and decentralised system which was seen to strengthen racial and ethnic divisions (Simeon and Murray 2001:68). In contrast to Kenya, however, the negotiations resulted in a

formally decentralised structure which was clearly legislated in the 1996 Constitution and various Acts.[10] In 1996, the 686 new local government authorities were 'championed by the national government…as the main delivery mechanisms for social and economic redistribution' (Pycroft 1996:233). Furthermore, since the reorganisation of local government through the 2000 Municipal Systems Act, local government authorities have been given significant service provision mandates, including the implementation of water and sanitation infrastructure, subsidised housing programmes and local economic development. Education, policing and health are national or provincial line agency competencies, which, as in Kenya, receive their mandates and funding nationally.

Despite the different levels of putative independence for local government actors in South Africa and Kenya, we found that structural and attitudinal centralisation was similar in both cases, acting against the ability of local government actors to incorporate local borderland realities of population mobility into service planning.

The impact of centralisation on local government's approach to cross-border mobility was most clearly illustrated by local government actors' surprise at being asked about border and mobility-related issues at all. All the officials with whom we spoke referred us to the respective national line agency they considered responsible (the Department of Home Affairs in South Africa and the Immigration Department in Kenya), and admitted to not having access to any consolidated data concerning migration flows, migration's impacts on their economies or its impact on their own municipal service provision programmes.[11] For example, when we asked the Chief Whip of the Nkomazi Town Council if there was a municipal migration management plan, his response was: 'Plans are there but when they deport people they come back so it is hard to control. We cannot let people come here without permission. The plans come from national and we follow that'.[12] This response reflects not only the orientation toward the centre of the state on migration management, but the reference to deportation also illustrates the perception that migration management (in this case, migration control) is a discrete policy issue, rather than a cross-cutting issue affecting all services and departments. Although in both case studies our respondents expressed the opinion that having more information about migration and better planning would be useful, this was added as an afterthought in response to our probing, rather than being independently listed as a major challenge for the municipality.

Structural and attitudinal centralisation also hindered cross-border communication and coordination with neighbouring municipalities. Local government officials were clearly oriented towards their respective capital cities, even when there is more commonality and everyday interaction across the border than with the capital. Both municipalities have some regular contact with municipalities across the border(s), but with limited formal service coordination impact. Nkomazi municipality is formally twinned with municipalities in Mozambique (Matola) and Swaziland (Mbabane), but this partnership is currently limited to sporting and cultural events, even though these supposedly enable informal discussions about economic development.[13] Busia's councillors and Mayor meet regularly with their counterparts in Busia–Uganda and they attend each other's official functions. There is, however, no formal mechanism for coordinating service provision across the border, which officials explain through the different institutional structures of local government in the two countries.

Centralisation of government department orientation is also relevant for the line agencies. We were repeatedly told in both countries that education services, trade-related services and policing could not be coordinated with their counterparts in neighbouring municipalities across the border without first going through the respective capital cities and national departments. While regular cross-border police interaction had been institutionalised in both cases, the need for national consultation and control was given as a reason for a complete lack of communication and coordination in education and social service-related activities in both countries.[14] Not even the Traditional Authorities in Nkomazi had formal cross-border communication mechanisms, in spite of their supposed cultural connections.[15]

This orientation toward central government is most clearly reflected in service planning documentation, e.g. the expression of formal, bureaucratic state machinery. In both municipalities, most local government activities – including services, revenue raising, infrastructure development, etc. – are modelled on national templates and not on locally relevant factors. For example, local government officials privately remark on the social illegitimacy of the borders and the strong cross-border social ties,[16] yet these are nowhere reflected in the official development plans of either district. The plans are either completely silent on cross-border movements or make reference to inaccurate central

government population statistics with only vague reference to cross-border movements and ties. Where migration is mentioned, it is to repeat stock negative stereotypes about migrants without any nuanced recognition of local migration histories or patterns.

The primary vehicle for local government service planning in South Africa is the Integrated Development Plan (IDP). Although the IDP has an inbuilt community consultation mechanism and is intended to reflect local development priorities, in practice it often mirrors national service provision priorities.[17] For example, the IDP format employs standardised implementation models for the provision of water, housing, electrification, etc., which do not take into account mobile populations or cross-border communities. The introduction to the 2006/2007 IDP for Nkomazi states that 'the Nkomazi area has excellent potential derived from its central location within the wider region of Mpumalanga, Swaziland, Northern KwaZulu-Natal, Southern Mozambique and the new Trans-Frontier [Kruger National Park] …(and) the new spirit of borderlands cooperation and increasing cross-border interaction has given a unique prominence to Nkomazi, which was previously extremely marginalised' (Nkomazi Municipality IDP 2006/2007:5). However, its only substantive reference to non-citizen population statistics is that 'there is a significant presence of aliens (*sic*) from mostly Mozambique' and that the 'influx of foreigners' might account for some of the high population growth rate in the district (*ibid*:9). Residents from Swaziland are not explicitly mentioned at all. The IDP document also repeats the stereotype that 'cross-border crime and illegal immigrants are regarded as the biggest threat towards safety and security it the area', without further specification.[18]

When speaking of planning housing provision and water infrastructure, local government officials regularly referred to population statistics extrapolated from the 2001 census using an average national rate of population increase which has no relationship with real population movements and growth in a rural border area like Nkomazi.[19] As stated by the Mayor's assistant, 'migration is a problem for planning because we plan for 1000 people in the integrated development plan to put in water, for example, then you get there to implement and find 3000 people'.[20]

In Busia, there are both fewer local government services to plan and a less structured and formalised planning process, compared with the South African IDP. This may be

slowly changing, however. Since 2002, there have been some attempts to increase local government financial capacity in Kenya through the Local Authority Transfer Fund (LATF). Furthermore, programmes have been put in place to make local authorities responsive to the needs of local residents through participatory fund allocation planning processes such as the Local Authority Service Delivery Action Plan (LASDAP). These new processes have not been enshrined in local government legislation and so their long-term impact will remain dependent on the good will of the respective government. For now, it is significant that the LATF-funded infrastructure (including schools, clinics, wells, etc.) is planned project-by-project at the ward level rather than as part of national service provision quotas and plans. Ironically, given Kenya's centralised system of government, many of the (still limited range of) service decisions are today being made in a highly localised manner.

Nonetheless, it is striking that neither the Municipal Council's financial plan for 2005/6 nor its 2006/7 LASDAP submission mention migration or cross-border trade in any way. This is in spite of the fact that the border trailer and bus parks are by far the largest income generators for the municipality and that virtually all economic activity in the municipality depends on cross-border trading and customers.

Spaces for the negotiation of inclusion for mobile borderland populations in local government services

While the centralised orientation of local government actors in both case studies led to the exclusion of mobile populations from formal service planning processes, as related above, three factors enabled their partial inclusion in practice: popular participation in service planning and monitoring, the presence of competing formal and informal regimes of governance and service provision, and corruption.

In both countries, questions have been raised about the actual level of popular participation in supposedly participatory planning processes (Mitullah *et al* 2005) and more generally about how exclusionary participatory approaches can be in terms of community divisions and gender (Amit and Rapport 2002; Chambers 1997; Guijit and Shah 1998; Harrison 2002; Stirrat 1997). Other studies have documented how non-

citizens have been excluded from development initiatives in South Africa, at least partly because of their exclusion from participatory planning processes (McDonald 2000). 'Community participation' can therefore never be taken for granted as leading to more inclusive service planning. Furthermore, we were not able to observe the public consultation elements of either the LATF or the South African IDP processes and so cannot comment on the actual processes followed in the case study areas.

However, our interview material suggests several tentative thoughts on participatory planning and inclusive service provision in border areas. These thoughts are based on the discrepancy between official and community logics about whether non-citizen residents or cross-border migrants should have legitimate access to services.

The government officials we interviewed tended to define a person in terms of their citizenship, while residents, especially in the more rural areas, were more likely to define a person in terms of their length of residence in a village and their ethnic identity, sometimes entirely denying the relevance of national origin. This difference was not absolute, since officials who originated from the local area often acknowledged ethnic links and some residents emphasised differences of national origin (especially in relation to Mozambicans in Nkomazi), but the difference of perception was strong for officials who were not local.

The implication for community-based planning is that there might be more acceptance of including residents of non-national origin in services such as locally provided water infrastructure, housing, schooling and health services, or that such residents are included as a matter of course, without identifying them as non-nationals. To the extent that participatory exercises are games that 'locals' play with outsiders (REFERENCE), the ability to blend into the crowd, with the collusion of the other residents, means that non-citizen residents are likely to be perceived as 'local' by outside officials collecting participatory information, and therefore included in the service planning. Many service providers emphasised that they could not tell the difference between Kenyan and Ugandan Tesos, Mozambican and South African Shangaans, or Swazis from Swaziland or South Africa.[21] There are indications that this is what often happens in practice around the provision of education in Nkomazi and Busia and for infrastructure projects like building clinics or bulk water provision in Nkomazi.

An example is a government housing scheme in Hectorspruit, near the border crossing to Mozambique. The houses were promised to South African residents of neighbouring villages but were then taken over by residents of an informal settlement immediately adjacent to the scheme, many of whom were of Mozambican origin but who had been living in the area for decades. While the media representations and local government discussions of the take-over focused on the supposed foreign nationality of the occupiers, the residents themselves, including both those of South African and Mozambican origin, saw themselves as legitimate recipients of subsidised housing who had been passed over by the planners of the scheme who had not adequately consulted them. They saw themselves as merely claiming their rights as poor, local residents.[22]

Shared language or ethnicity and length of residence cannot be assumed always to produce community acceptance, although it often seems to facilitate it. Even where local acceptance exists based on ethnicity, language and residence, this still poses the question of the position of other non-citizen groups, such as Asian immigrants in Nkomazi, Somalis in Busia, or migrant traders from the border area that pass through the towns rather than settling. Participatory service planning is therefore not the only or even the most effective means through which mobile populations in borderlands interact with local government around basic services.

Another element of the local government context that needs to be highlighted is the existence and popular use of alternative service provision mechanisms. In Kenya there is an established reliance on private service providers in almost all spheres. Members of Parliament and local politicians provide another parallel mechanism for local service provision through various sources of funding. In South Africa, alternative service provision mechanisms arise due to a dual system of governance in rural, former 'homeland' areas, institutionalising both elected and 'traditional' leadership. These market-based, political and 'traditional' alternative mechanisms are very different in nature and scope but they have the commonality of complicating formal local government control over service allocation while opening spaces for socially integrated, but legally excluded, cross-border migrants to access services.

In Busia, the dominance of private service arrangements and the privatisation of many services which are considered part of the public sphere in rural South Africa (including water, housing, waste management, anything beyond basic health care, and private schooling) represent an important form of alternative local governance and power. Here, access to services is based on the ability to pay and the market mechanism of supply and demand rather than an expectation of services on the basis of citizenship rights and contribution to the public good. Privatised services are therefore just as accessible to migrants as to locals, if they have enough resources.

A second parallel system of 'political' service provision runs through MPs and local councillors. The Constituency Development Fund, for example, is directly administered by the MP and is used to finance school bursaries and to construct basic public infrastructure, such as roads, clinics or schools, outside the ambit of other local or national service provision mechanisms. Local government officials feel that their ability and authority to allocate and implement services according to formal criteria such as need or nationality is challenged by the 'political' service allocation priorities of individual elected councillors and community leaders. In the words of a staff member at the Municipal Council, 'political interference is the greatest challenge to service provision. It affects our planning and implementation, particularly implementation. There is a pull between community needs and what civic leaders want. We in the council, after consulting the communities, try to allocate resources according to needs but the politicians do not like this, so we allocate each ward an equal amount or share to avoid conflict'.[23] Although not as institutionalised as the Traditional Authorities in South Africa, discussed below, this parallel 'political' system of resource allocation is similarly accepted and indeed expected by the general population in Busia. The implication in border areas is that non-citizens with community ties, political influence or financial resources can tap into this personalised system of service allocation.

In South Africa, there are relatively few privatised services in poor rural areas, and political patronage, while present, does not have the same extensive service implications. The main alternative to municipal services is the traditional authorities. The role of traditional authorities as part of the official local government system has been legislated through the Constitution (Chapter 12) and the Traditional Leadership and Governance Framework Amendment Act, 2003 (2003). Traditional authority holds

jurisdiction only in designated 'trust' areas outside settlements declared as towns and townships, but in those rural contexts, including much of Nkomazi, the traditional authorities control access to land and in practice take various roles that facilitate access to services.

'Traditional' community leaders explicitly derive their leadership mandates on the basis of ethnic and linguistic community, which spans borders, and have in the case of Nkomazi expressly incorporated residents of Mozambican and Swaziland origins into their constituencies on an equal basis. Traditional authorities regularly give Mozambican and Swazi immigrants papers confirming their residence in a village, although the person may not have the legal right to take up residence according to national law or the Department of Home Affairs. A Traditional Authority council member stated:

> truly speaking, the *nduna* gives out [residential] stands without asking for an
> ID [identity document]. They don't check if the person is permitted to be here.
> They only write a piece of paper to let the tribal authority know which stand
> was given. That then means that you are now a citizen of South Africa'.[24]

This 'citizenship' authorised by the Traditional Authority has no legal standing under South African law, but nonetheless the residence papers from the Tribal Authority play an important role in enabling children to access schooling and residents to access other local services, such as water. The tension between the municipality and Traditional Authorities is often explicit. According to the same traditional authority member, 'it is not a good relationship. They have their own agendas and we do not come together… It is not really a conflict; we do not talk to each other as friends, we ignore each other'.[25] In turn, the mayor's comment is that '[Mozambicans and people from Swaziland] go to a tribal office, get a stand … and after a year they are your people and they need water, houses, sanitation. Some chiefs are untrustworthy because they allocate stands to some even if know that they are not residents of South Africa'.[26]

Finally, the third space for the negotiation of service access for mobile populations at the local government level is corruption. Restrictions in service access that run counter to what local residents (including non-citizen residents) consider legitimate and necessary for their survival create a private market for evading those restrictions. Incentives are created for government officers (including those in schools, the police services, customs,

trade licensing, identity document provision, etc.) to circumvent service access restrictions for a fee.

The forms and institutional locations of corruption are different in each case study, based on the kinds of restrictions and criteria for service access. In Busia, everyday survival for many of the poor depends on hawking and informal trading across the border, which, although relatively open, is restricted for some lucrative trading goods. Therefore, corruption is focused around policing of the border trade and of street traders. Concern with the levels of corruption among the police was expressed not only by migrant traders but also by local councillors, Kenyan citizens and officials in other government department. Since in Busia other services such as education and health either do not require Kenyan identity documents or are privatised, there were no reports of corruption or fraud in accessing them.

In Nkomazi, in contrast, there is less informal cross-border trade (certainly since the abolition of visa fees for Mozambicans) but a South African identity document is crucial for accessing almost all government services. Corruption in Home Affairs is therefore a widely discussed concern in Nkomazi, as elsewhere in South Africa, which was raised by migrants, police officers, municipal and political leaders, school principals and NGO actors.[27]

Trading Licences

The combination of formal exclusion and informal inclusion mechanisms within local government processes takes different forms depending on the service area. We give the examples of local trading licence allocation.

In both Busia and Nkomazi, local businesses are one of the most important sources of revenue for the municipality in the form of trading licences, market licences, hawkers' permits and taxation. Increasing overall economic activity in the municipality and ensuring its formal licensing is therefore in the interest of any municipality. Although the case-study municipalities have very different economies and different kinds of migrant insertion into the economy, it is striking that both case-study municipalities have pragmatic and flexible business licensing policies and practices which are largely

inclusive of non-citizens. This shows a practical recognition of cross-border realities and local economic needs. While Busia does not have an active local economic development plan, Nkomazi's local economic development plan does take cross-border business opportunities into account, albeit with large gaps in its cross-border economic coordination.

In Nkomazi, licensing of hawkers and participation in municipal projects to facilitate trade, such as building markets, includes non-citizens:

> We do register people who are not South Africans as hawkers. They get a permit for a year and they must report to the municipality quarterly to show that they are still here and are still hawking. Licensing officers and security police check to ensure that only those with permits are hawking, because with immigrants if they are doing well they tell their sisters and cousins that they are making good money in Nkomazi and others come and also start hawking without permission. The condition for participation in other projects is that you must belong to this municipality, you must have permits and they are renewed every year. When allocating hawkers stalls we allocate to South Africans first and then others. For other projects we assist foreigners to register so that they can get documents and then we support all projects in monitoring them and visiting them regularly.[28]

The policy for formal businesses is that legal residents, including non-citizens, can and must get licences for any businesses they run. In practice, most of the formal businesses run by non-citizens, such as 'Pakistani' and Somali-run shops in the villages, are licensed through South African (silent) business partners or the previous South African shop-owners from whom the shops are rented.

In Busia, the District Development Officer describes the policy in the following way:

> You don't have to be a Kenyan citizen to run a business here. For Kenyans it is straight forward. For non-Kenyans it takes more time. You need a work permit. We used to assess whether the proposed business can be run by locals instead. If your presence will supplement other business and contribute

to the growth of business in general, then we make the recommendation to allow the businesses of foreigners and the recommendation is sent to HQ for approval. We encourage foreign businesses to go to big towns where they can compete fairly because if they go to small places they can crowd out small local businesses. For Ugandans, we encourage them because with the EAC we are moving together to have the same system for everything.[29]

In practice, business licensing is more ad hoc, with, as in Nkomazi, shopkeepers subletting their shops and licences, and licences available for payment.[30] Hawkers are not licensed but pay a daily hawking fee, which is not dependent on their nationality.

In spite of official recognition of the need to permit and license 'outsiders' in the economy, there are popular perceptions in both places that the economy is not 'local' enough. Significantly, this perception is not necessarily only about non-citizens, but also includes citizens from other parts of the country. In Busia, for example, the main point of contention by members of the local ethnic groups is that other Kenyans have become dominant in the town's formal economy as well as large sections of the informal hawking economy, leaving only cross-border bicycle transport (known as *boda boda*) as the recognised preserve of locals. However, there is virtually no conflict or resentment between 'local' Kenyans and Ugandan traders or hawkers. In Nkomazi, the main issues of concern mentioned by local government officials and local residents regarding 'outsiders' and the economy were the perceived unfair business practices and pricing of Mozambican hawkers and 'Pakistani' and Somali shopkeepers in the villages. While there were no reports of higher crime rates against foreign- or 'outsider'-owned businesses in Busia, attacks on 'Pakistani' and Somali-run shops in Nkomazi were reported as a common problem by police and the shopkeepers. Moreover, there is also contestation in relation to domestic 'outsiders' in the transport industry, with taxi operators concerned that their rights to local taxi routes will be opened to bidding by people from other parts of the country.

<mark>Concluding remarks on this section</mark>

Conclusion

Areas for further research on local government in border areas.

23

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[2] These locally-provided services such as education, policing, small trade regulation, housing, land policies, waste management, etc. are contrasted with nationally-implemented services like foreign affairs, the military or macro-economic planning.

[3] Interviews with representative of Town Clerk, Busia, 14.9.06; Kenya Revenue Authority Officer, Busia, 25.10.06; Customs Clearance Officer, Busia, 25.10.06; Town Councillor, Busia, 2.11.06; Mayor, Nkomazi, 5.3.07; Local Economic Development Officer, Nkomazi, 7.3.07.

[4] Interviews with the South African Revenue Services Official, Lebombo border post, 6.3.07; Senior Superintendent of Police, Lebombo border post, 8.3.07; Department of Home Affairs Immigration Officer, Lebombo border post, 8.3.07.

[5] Interviews with former businessman and resident of Busia, 24.10.06; retired local politician, 23.10.06.

[6] Interview with Manager of Spar Supermarket, Malelane, 6.3.07; Cell-phone shopkeepers, Schoenmansdaal, 23.3.07; Informal traders in Naas, 22.3.07.
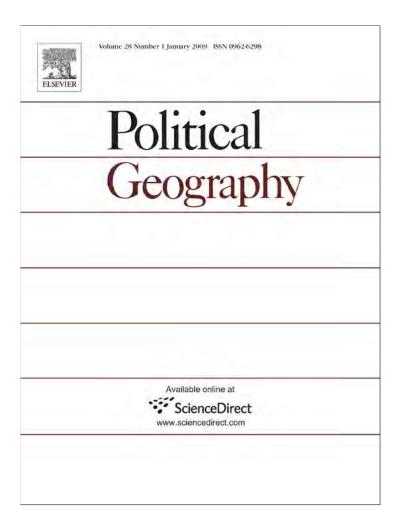
[7] See national programmes such as Project Consolidate in the Department of Provincial and Local Government through which local government technical and financial capacities are built. www.projectconsolidate.gov.za.

[8] A chief in Kenya is an administrative position appointed by the President, usually via the District Commissioner. In contrast, a chief in South Africa is a position within the 'Traditional Authority' system which is in principle independent of the central government.

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[9] This centralisation is only slightly mitigated in the major cities, where city councils run basic education, health and housing service provisions.

[10] These include the 1997 Organised Local Government Act, the 2000 Local Government: Municipal Systems Act, the 2003 Local Government: Municipal Finance Management Act and the 2003 Local Government: Municipal Structures Amendment Act.

[11] Interviews with Nkomazi Municipal Manager, 8.3.07; Nkomazi Mayor, 5.3.07; Nkomazi Municipality chief whip, 9.3.07; Representative of the Busia County Clerk, 14.9.06; Busia Town Councillor, 2.11.06.

[12] Interview with Nkomazi Municipal Council chief whip, 9.3.07.

[13] Interview with Nkomazi Municipality Mayor's assistant, 5.3.07.

[14] Interviews with Officer in Charge of School Inspections, Department of Education, Busia, 26.10.6; Education circuit manager Lubombo, Nkomazi, 23.3.07; Education circuit manager Kulangwane, Nkomazi, 8.3.07; Officer Commanding, Police, Busia, 14.9.06; South African Police Services Komatipoort, Nkomazi, 5.3.07; District Trade Officer, Busia, 26.10.06; Local Economic Development Officer, Nkomazi, 7.3.07.

[15] Interview with Matsamo Chief's Council, 22.3.07; Siboshwa Traditional Authority, 22.3.07; Nduna of Phiva Village, 24.3.07.

[16] Interviews with Nkomazi Municipal Manager, 8.3.07; Busia District Officer, 15.9.06.

[17] Interview with Nkomazi councillor, member of the Mayor's committee, 7.6.07.

[18] Our interviews with police officers at several police stations around the district suggest, on the contrary, that while there is indeed a widespread perception of the prominence of non-citizens in perpetrating crime, there is no evidence for this (as is also the case in other parts of the country). A high-ranking police officer who has been working in the area for decades estimated that only one out of 10 people arrested for violent crimes or housebreaking is a foreigner. Interview with a captain at Schoemansdaal Police Station, 23.3.07.

[19] The official information base is much better in South Africa than in Kenya, partly because South Africa has a census every five years and Kenya only every ten, but there are still significant lags in census availability, and this information remains particularly unreliable in the rural former Bantustan areas.

[20] Interview with Mayor's assistant, Nkomazi, 5.3.07.

[21] Interview with Department of Home Affairs Official, Nkomazi, 7.3.07; Secondary School Principal, Nkomazi, 23.3.07; Department of Education Official, Busia, 26.10.06.

[22] Interview with Hectorspruit resident, Nkomazi, 23.3.07.

[23] Interview with representative of Busia County Council Clerk's Office, 14.9.06.

[24] Interview at Siboshwa Traditional Authority, Nkomazi, 22.3.07.

[25] Interview at Siboshwa Traditional Authority, Nkomazi, 22.3.07.

[26] Interview with Mayor of Nkomazi Municipality, Nkomazi, 5.3.07.

[27] Interview with Principals, Primary and Secondary School, Malelane, Nkomazi, 7.3.07; Khulangwane Education Circuit Manager, Nkomazi, 8.3.07; Secondary School Principal, Busia, 13.9.06; Inspector of Schools, Busia, 18.9.06; Assistant Head Teacher, Primary School, Busia, 1.11.06.

[28] Interview with Local Economic Development Officer, Nkomazi, 7.3.07.

[29] Interview with District Trade Officer, Busia, 26.10.06.

[30] Interviews with shopkeepers and traders in Busia, 26,28,30.10.06.

The silent encroachment of the frontier: A politics of transborder trade in the Semliki Valley (Congo–Uganda)

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A B S T R A C T

This article is about the frontier as a political place. Through a discussion of unofficial cross-border trade in the Semliki Valley (on the Congo–Ugandan border), it describes how people, despite the ruining effects of delocalization and state privatization, continue to reproduce their life worlds as places, which eventually makes them the matrix of new political constellations. This silent encroachment of the Congo–Ugandan frontier is marked in turn by a prolonged silent, and at occasions loud, advancement on existing power configurations that profoundly questions ruling modes of classification and standards of evaluation. In the article, this encroachment is illustrated mainly with regard to the imposition of tax and the control over people's mobility—both a quintessence of (post)modern state building. At the end of the day, the analysis of meanings and processes attached to this everyday life on the Congolese–Ugandan border illustrate quite clearly how people, notwithstanding the structural and technological forms that direct and mould their world, can also progressively challenge conventional notions of political and economic power, and simultaneously introduce new notions of where politics is to be found and what it is. It is probably this ambiguous role, of hidden smugglers with open official ties, of "rebel" entrepreneurs seeking high political protection, that sustains the transformation of politics at the Semliki border crossing. Contrary to previous wisdom however, such emerging regulatory authorities do not operate against the state, but are rather involved in different scales of political decision-making—particularly in the domain of cross-border taxation. Without demolishing the question of its power, such processes can eventually introduce a reconfiguration of post-colonial statehood that combines different and apparently contradictory legal orders and cultures, but which simultaneously give rise to new forms of meaning and action.

Introduction

This article concentrates on the issue of unofficial cross-border trade between Uganda and the Democratic Republic of Congo, two countries that have repeatedly been termed as "failed", "weak" and "collapsed". In the annual Fund for Peace index, for example, both Congo and Uganda figure among the first 35 alert-countries with serious internal governance problems. Particularly the DR Congo has historically summoned associations of chaotic and anarchic forms of governance that sometimes go as far as questioning the relevancy of Congolese statehood itself[1].

In the following article, I will both question this terminology and the idea that unofficial economic activity necessarily embodies an opposition to post-colonial statehood in Africa. Contrary to previous accounts, which primarily associate unofficial trade with political resistance,[2] recent analysis in African borderlands points at the high level of overlap and complicity that often exists between different systems of survival and regulation. In his seminal study on the Ghana–Togo frontier for example, Paul Nugent asserts that the practice of everyday life at the border may also serve to constitute power, notably by working on state institutions, community relations, and basic concepts of political

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[1] Different names have been invented to designate Congo's institutional quagmire, going from the apocalyptic *Heart of Darkness* (Conrad, 1999), to more recent representations of "dinosaur" statehood (Braeckman, 1992), state "failure" (Lemarchand, 2001), state "collapse" (McNulty, 1999), and state disintegration (Breytenbach et al., 1999).

[2] Janet MacGaffey, for example, who writes about Zaire's (now DR Congo's) economy during the 1980s, describes unofficial economic activity foremost as "a political option, co-opted by political discourse" (MacGaffey, 1983, 1987, 1991). In similar vein, Azarya and Chazan (1987: 128–129) interpret the various "counter-cultures" and attempts to "beat the system" inherent to such economic practices as a potential realignment of power relations that are operated by collectivities the state itself claims to represent.
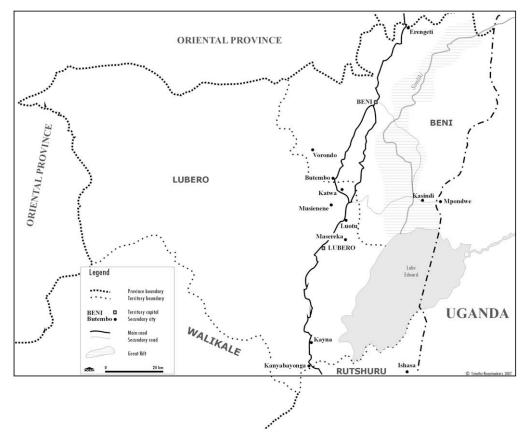
Fig. 1. The Semliki Valley.

space (Nugent, 2002: 232). Janet Roitman comes to a similar conclusion in her work on the "border and bush" economy of the Chad Basin, from where she demonstrates the often extremely ambiguous relationship that exists between the state and the non-state, "formal" and "informal" systems of regulation. Although the effective authority of non-state actors over certain domains—such as economic redistribution and the determination of rights to wealth—might lead us to conclude that they stand in 'opposition' to the nation-state, she says, the relationships between both are often antagonistic as they are reciprocal and complicitous (Roitman, 1998, 2001, 2005).

Instead of artificially separating the state from the non-state, the formal from the informal, or the personal from the political, therefore, we ought to leave room fluidity, porosity and overlap (Nugent and Asiwaju, 1996). In other words, there is a dire need for deconstructing the dominant ideal model of the state as being strong or weak, failed or functioning by specifically demonstrating the interconnectedness between several dimensions of political space and action, which gather their specific expression in everyday practices of survival and regulation. As Nick Megoran concludes in a similar study published in this journal, political anthropology can serve this task of questioning the idea of the state as a "thing", which apparently floats above people's heads in abstract and dominant fashion. Rather, the practices at the border show how political power is constantly "demonstrated, projected and contested" (Wilson and Donnan, 1999: 155) by ordinary citizens trying to organize and project their lives. As Megoran asserts, the constant reordering of space in the world's border areas is not a product of nations, but is creating them (Megoran, 2004: 636–637). Mainstream accounts often leave out a set of important boundary conditions and exchanges which not merely influence

political constellations in the "periphery", but essentially make the state to what it is.[3]

Theoretical background

The literature that informs my argument comes both from political ethnography and social geography. Geographers, political scientists and anthropologists have increasingly started to collaborate in the field of borderland studies, which has known an unprecedented rise in the last few years. Over the past three decades, many studies have been put forward that go from world systems and geopolitical studies to more 'post-modern' approaches hat analyse the border as social representations and mirror of identity construction. What these studies have in common is a clear wish to move from the purely empirical to a theoretical reflection on what borderlands essentially are, and how they relate in turn to the political "centre".[4] In general, such studies favour a historical analysis that concentrates on the effects of (inter)national boundaries on the formation and spatialization of political forms, and vice

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[3] A similar study on Afghanistan also illustrates this decidedly non linear process of state building, in a process described by the author as sequences of punctuated equilibria (Goodhand, 2008). As the author shows, the borderland is often central to the (his)story of state building in Afghanistan since it essentially "makes the centre what it is" (see also Scott, in press).

[4] Since borderland studies are still emerging as a field, broad theoretical reflections are still missing. Nonetheless we can refer to the works of Baud and Van Schendel (1997), Newman and Paasi (1998), Wilson and Donnan, 1998, 1999), Paasi (2005), and Kolossov (2005), apart from the rich case study material on for example the American-Mexican border. Specific to Africa is the work of Nugent and Asiwaju (1996), which is also quoted as a reference for other regions.

versa. For this purpose, most borderland studies favour a cross-border perspective, in which the region at both sides of the (inter)national border is taken as a unit of analysis. In a much quoted article, Willem Van Schendel and Michiel Baud describe borderlands consequently as "broad scenes of intense interactions in which people from both sides work out everyday accommodations based on face-to-face relationships" (Baud and Van Schendel, 1997: 216). For the present argument, I prefer to use the term "frontier" though, which breeds a more explicit dimension of political and identity construction. According to Igor Kopytoff, who has written a substantial volume on the expansion of the pre-colonial African frontier, the latter is above all "a political fact, a matter of a political definition of a geographical space" (Kopytoff, 1987: 11). Through a series of regional case studies, he convincingly argues that, contrary to classic understanding, African history has been characterized by a ceaseless flux of populations which have constantly had to construct and reconstruct social order in the midst of uncertainty and crisis.[5] In the current context, I will try to demonstrate how the Congo–Ugandan frontier continues to take shape and expand as a result of institutional creativity and "bricolage", or the process by which people consciously and unconsciously draw on existing social and cultural arrangements to adapt to new situations. In essence, what I am interested in is the constant interaction between political identity construction and the opportunities and constraints posed by the ecology of the frontier, which simultaneously represents a structural setting in which African polities are being perpetuated and transformed (see also Le Meur, 2006: 872). In foresight, this also presupposes a different reading of political or social "crisis", which is all too often associated with mere anarchy and chaos. Following Greenhouse, I apply a definition of crisis not as breakdown or rupture per se, but as a turning point in which outcomes are deemed uncertain and unpredictable. Besides expressions of risk, urgency and survival, such moments also give people a need to formulate answers against the radical transformations of the world they thought they knew, but now feel urged to reassess. In some contexts, such expressions can stimulate the making of new forms of political action that ultimately challenge conventional notions of "where politics is to be found and what it is" (Greenhouse, 2002: 3–4; see also Hogan, 1980; Wacquant, 1997).

Such perspective also presupposes a clear focus on the spatial dimension of social practices which, in geographical terms, shapes process of constructing identities, social relations, and economic practice in time and space. In another article for this journal, Arturo Escobar provides a theoretical background to subaltern strategies of localization in the world's "periphery" by saying that people continue to construct some sort of boundaries around their lives, however permeable these might turn out to be. By constantly embedding their practices in time and space, these people (local communities, ethnic groups, social associations) show that, far from being passive receivers of development, also actually create their life worlds "as places" (Escobar, 2001: 15; Massey, 1992; Swyngedouw, 1992, 1997).[6] The metaphor I use to describe these types of interactions and transformations is that of the "silent

encroachment" of the frontier. Paraphrasing Bayat (1997: 57), this encroachment does not refer to the invasion or expansion of the border by military means, but instead involves the silent, and at occasions loud, advancement of ordinary people on the propertied and powerful in order to survive hardships and better their lives. The constant haggling and bribing, twisting and turning of existing regulatory practices on this political and economic frontier is marked in turn by a prolonged mobilization with episodic collective action, but which eventually can "modify the pre-existing composition of forces, and hence become the matrix of new changes".[7] This idea also resonates with de Certeau (1984), who talks about the "tactical agency" of the poor against dominant strategic power. While for de Certeau, strategies are the patterns of space-based action of the strong, tactics are the "art of the weak" of constant, time-bound, improvization and creativity against the dominant strategies that try to fix and delineate less powerful populations (see also Veit, 2007). But while such tactics are commonly depicted as irrational reactions "without clear leadership, ideology or structured organization" (Bayat, 1997: 58), they nonetheless represent a clear desire to live a respectful and dignified life of people against the dominant encroachment of more "super ordinate" groups that determine and mould their worlds. They show the capacity to bend and foil the space instituted by others, characterized by a subtle but stubborn activity of groups that, through their everyday actions, move against already established forces and representations (de Certeau, 1984: 18; Migdal and Schlichte, 2005).

Two preliminary conclusions can be drawn from this first theoretical reflection. First, it provides us with a critical reminder that the border in Africa is an essentially contested place, where populations have been subject to control and capture, and mobility of people, goods and places is significantly restrained. Janet Roitman's terminology of '*la population flottante*' specifically reminds us of the active policies behind this "fixing" of national borders and populations, which are at the same time political technologies to circumscribe and govern the elements that have historically summarized "sources of instability with respect to price, subversion with respect to tax, and transgression with respect to national identity" (Roitman, 2005: 11). More recently, this notion of '*la population flottante*' has acquired new meanings as the Congolese government tries to reassert authority over its border regions previously under Ugandan and Rwandan occupation (cf. infra). In the last part of this article, I will briefly discuss the ongoing struggle of fixation, opposition and complicity that can be felt in the domain of fiscal regulation which, as we know, represents a quintessence of modern state building (Cramer, 2006). The increasing privatization and commodification of government tasks in this domain struck some observers as particularly dangerous in a context where multiple rule systems and interpretations, driven by different legal cultures, coexist and often conflict (Esselbein et al., no date).

At the same time, the previous reflection suggests quite clearly that despite its apparent resistance and opposition to state authority, the actions and tactics of the poor do not necessarily undermine state sovereignty as such, but instead mould and transform it in the process of generating local livelihoods and places. In line with Greenhouse, I believe that "[e]ven in extreme

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[5] Another term that covers this social space is the "terroir", which Roitman (1990: 690) describes as "geographical solidarities which can be traced back to long-term strategies of social groupings. They are a means of understanding regional variations in terms of demographic, ecological, and/or migratory regimes, as well as social categories posited against one another in socio-economic struggles".

[6] To term the actions of these communities and individuals as "survival strategies" does not entirely cover their meaning, therefore, because it wrongfully reproduces the poor as passive, powerless victims (Escobar, 1995; see also Ellis, 2000; Collinson, 2003).

[7] Gramsci (2007: volume 1, libro XVI, §44). Occasionally, the struggles associated with such survival strategies erupt into an open political resistance. One herald of such local hunger strikes in Lubiriha occurred in November–December 2007, for example, when an apparent ebola outbreak in the Ugandan district of Bundibugyo led custom authorities from Congo and Uganda to temporarily close the border crossing. In protest people (petty traders, peasants, angry businessmen) massed at the border and threatened to call on the local rebel macquis (locally called 'Mumbiri') if the crossing was not re-opened. Only after a quick re-evaluation of this virus threat, a local rebellion could be deflected (New Vision, 1 December 2007).

circumstances of state collapse (…), the loss of the old regime does not demolish the question of its power but translates it into questions of its many forms, their dispersal and recommoditization, their idioms and dynamics in the inevitably unstable nexus of hegemonies that make the state, or take its place, depending on the circumstances" (Greenhouse, 2002: 6). In her study on another African "frontier" region of the Chad Basin, Janet Roitman comes to a similar conclusion when she say that the point is not to proclaim the demise of the nation-state in the face of such unofficial rule systems, because the state often stands in the heart of proliferating forms of wealth and power in its margins. In particular in unruly border areas, where state power in is theoretically at its weakest, "emergent" forms of regulatory authority can be observed that are both state and non-state, formal and informal in nature. Although these forms can endure certain spaces of power and wealth that question the integrity of the state (for example in terms of violence or the determination of the rights to wealth), state actors also considerably depend on such non-official activities for rents and the means for redistribution. During my visits to eastern Congo and Uganda in 2001–2008, I palpably felt this pluralization of regulatory authority in the economic activity I observed on and around the border.

Introduction to the case study

The case study I use in this article is that of Lubiriha/Kasindi, on the Congo–Ugandan border (Fig. 1). While I spent some time there in 2008, my broader reflections remain heavily inspired by my work as a PhD student, for which I conducted extensive field work in this region between 2001 and 2006. Its inspiring location on the geographical "fault line" between the Congo and Nile Basins makes Lubiriha indeed imaginable as a boundary between two separated worlds.[8] As I will hope to explain, Lubiriha/Kasindi has been a historically contested place, characterized by unofficial economic activity, protest and finally political rebellion. One of the first colonial stations between British and Belgian colonial Africa, Kasindi was established to control the '*population flottante*' that crossed the Semliki River in search for a livelihood in trade and agriculture.[9] An important strategy employed by the colonial empire, for example, was to confine the border populations to the mountain areas, and declare the Albertine Rift as the natural park of Virunga. For more than half a century, the Belgian colony chased the inhabitants from the fertile Semliki River Basin and prohibited indigenous trade on this communal frontier. Toward the late 1950s, this form of oppression started to generate substantial political protest, which crystallized amongst others in food riots by the

urban poor as well as various political rebellions (cf. infra).[10] At the same time, the border between Congo and Uganda has also served as a historical meeting point, amongst others for the interlacustrian trade routes that run through the Central African Great Lakes region between the Nile and Congo Basin. For centuries, the Banande and Bakonjo populations have continued to trade salt and other goods from Uganda to Congo's rural interior, which they partly colonized through their penetrating trade activities with Congo's forest communities (Vwakyanakazi, 1982: 116).[11] Partly building on these pre-colonial ties, Lubiriha/Kasindi gradually evolved into a busy border town during the post-colony, which saw the emergence of overlapping trading routes that link the Indian and Pacific Ocean on the one hand, and Sudan and Zambia on the other hand (for more detail on this period, see Raeymaekers, 2007).

During the mid-1990s until 2003, a destructive civil war touched Congo's border area, which became occupied by various rebel movements and foreign military forces. During the first Congo war (1996–1997), Laurent Kabila headed a coalition of forces to the capital Kinshasa, where he chased dictator Mobutu from power. After a short time, however, his former supporters Uganda and Rwanda became frustrated with Kabila's treatment and sustained a new rebellion that launched its campaign from the eastern city of Goma. Internal quibbles and political dissensions ultimately led this rebellion to split in a Rwandan and Ugandan-supported zone of control; the Semliki valley came to be occupied by the '*Rassemblement Congolais pour la Démocratie-Mouvement de Libération*', a movement initially sustained by Uganda which later changed sides to Kinshasa. Today, the Semliki Basin hosts three high risk zones that are more or less internally connected. These are respectively South Lubero (home to the Rwandan Hutu militias and some local Mayi Mayi forces), West Lubero (home to different rural militias) and Beni territory, which hosts the Ugandan ADF and NALU militias (cf. infra).

This regionalized war has naturally had a detrimental effect on the economic development in the region: not only has it been cut off both politically and economically from the capital Kinshasa, the war also brought significant levels of insecurity to Lubiriha's surroundings, which hosted an infinite number of local rebel *macquis* and non-state armed groups connected to regional political players. In this sense, Lubiriha greatly resembles the description of the Central African Chad Basin, where according to Roitman, "the very foundations of wealth are no longer preordained", and "almost everyone can expect to experience the alienation of wealth through violent means" (Roitman, 1998: 313). Apart from the rebel movements hiding in Eastern Congo's mountains and forests, a number of *inciviques* ("uncivils") and *coupeurs de route* ("road blockers") all make life there incredibly unsafe. Despite their apparently illegal vein, the question of the legitimacy of these figures is not a foregone conclusion since they often assume ambivalent and changing roles. On the 80 km road from Beni to Kasindi, for example, travellers are regularly harassed at checkpoints by police, army and agents of the national insurance agency

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[8] I was confronted quite illustratively with this image during my visit to a Ugandan national park, where an educative panel explained the evolution from primates to mankind—with the Rift functioning both as a geographical and evolutionary fault line between Congo's "Heart of Darkness" and the civilized, developmental world of the "darling of the donors" Uganda. See also Leopold (2005).

[9] By that time, a lively salt and ivory trade existed already on the Congo–Ugandan boundary, which provided livelihoods for tribes at both sides of the border. Note for example the comment by Major R.G.T. Bright, from the British Rifle Brigade that explored the boundary south of the Rwenzori: "The inhabitants have no means of livelihood except by trading. Salt is carried in canoes from Katwe, and sold to the natives at marketing prices on the lake-shores. The salt belongs to the main-land people, but the islanders act as merchants, and charge commission, which is paid in food. (…) Commerce in hides is carried on, the skins of cattle and goats being obtained from natives by purchase or barter and conveyed to Buganda for sale. A considerable carrying trade occupies a proportion of the natives of Toro. Ivory and rubber from the Congo, small quantities of the same from British territory, are constantly being conveyed to Buganda for shipment by the lake steamers to the Uganda railway. Everything is carried on the heads of porters; no wheel or motor traffic has yet been introduced in this country" (Bright, 1909: 146; 149; cf. infra).

[10] A detailed discussion of this process lies outside the scope of this article. It suffices to note that the creation of this division between town and country, indigenous and colonial populations has been an essential feature of the creation of the current Congolese–Ugandan frontier. Besides this technological feature, the prohibition of cross-border trade became part of the Belgian mercantile policy to monopolize the agricultural retail system connecting Congo's plantation economy to the labour force concentrated in the urban centres (see Jewsiewicki, 1977, 1979; Vwakyanakazi, 1982).

[11] Technically one should speak about the Yira people (Ba-Yira), which remain dispersed because of the colonial boundary between Congo and Uganda. Currently one speaks of Congolese Banande and Ugandan Bakonjo (Remotti, 1993). The Nande live in the territories of Beni and Lubero, in Congo's province of North Kivu.

SONAS, who often take on the role of bandits at night or in more hidden locations. People on the border ironically refer to these ambivalent figures as 'des personnes armées non autrement identifiés' (non identified/identifiable armed persons), which has become a cover word for the very army soldiers and state representatives that are supposed to protect civilians from random predation.

Another interesting distinction that reflects this political ambivalence is that between legal state authorities (autorités légalement réconnus) and actual authorities (autorités de faite), i.e. the various non-state groups that assume local political powers such as armed bandits and rural militias, the Roman Catholic Church, NGOs, and occasionally also, local businessmen (cf. infra). Instead of a clear dividing line between state and non-state, official and non-official authorities, this signification of local political and economic figures suggests that the border remains characterized by a continuous pattern of negotiation and mediation of regulatory authority, in which the state is increasingly commodified and fragmented, and the public good is traded and sold. As I suggest in another study (Vlassenroot and Raeymaekers, 2008), this commodification of political power differs from a pure privatization of the state as described by Béatrice Hibou and others, in that it has created space for regulatory practices that reach beyond the historical technologies of post-colonial state administrations. "Mediated" statehood probably best describes this current status of the Congolese political system, in which several governable spaces coexist in semi-autonomous fashion. In the following sections, I will discuss this commodification of the local political space in Lubiriha, as well as the process that leads to it.

Transboundary spaces

The previous description gives an idea of the drifting nature of the Semliki border area, which remains characterized by enormous levels of physical insecurity and displacement. Entering the twin town of Lubiriha and Kasindi, the sensation one gets in fact is that of a non-space ('non-lieu': Augé, 1995), or a locality that is neither geographically fixed nor socially bounded. Reminding me somehow of the frontier towns from Cowboy movies,[12] Lubiriha lies just below the hill of Kasindi, the historical border crossing founded by the Belgians. Lubiriha is actually only a recent settlement, erected by households fleeing insecurity and economic hardship in the Rwenzori and the national park of Virunga. Most of Lubiriha's inhabitants are IDPs, counting an estimated total of 467 households or 2335 individuals (Solidarités, 2008). The fluidity of this social space—which can be noted from the abundance of hotels and 'maisons de passage' with which Lubiriha's neighbourhoods are dotted—was described quite illustratively to me by a Congolese driver in restaurant 'Chez Marie Transit', a meeting place for drivers and taxi men: "In fact this is another kind of environment. Here everyone is in transit. I don't think that anybody actually lives around here. And because you are in transit, you are easily going to accept what is being proposed to you".[13] Besides this transitory character, the town is also characterized by a general dirtiness, which some suggest is also connected to overarching insecurity.

Because there is no sewage system, streets are usually very dirty, and the only garbage men that occasionally sweep the streets of Lubiriha are the marabout birds flying in and out on market days from neighbouring Uganda.

At first sight, one is tempted to associate such transitory sensations to the "sinister" side of political community described for example by Michael Watts in his study on the Nigerian oil delta. According to Watts, the case of Nigeria's oil complex actually illustrates that community-making in the modern world can often fail, and sometimes dramatically, "to the point where a base unity dissolves (…), thereby threatening the very idea of community itself" (Watts, 2004: 3–4). As one petty trader coming from one of Kasindi's surrounding villages told me: "I am here despite myself… Sometimes I don't know if I am searching life or death here; I think we don't really live here but we vegetate ('on vivotte')". Part of this spacelessness is of course connected to the destitution and alienation of rural livelihoods, as the origin of the previous speaker suggests: individuals and households in Lubiriha find themselves deeply alienated from the economy of the village as well as the image of "belonging and ownership" associated to it (Leopold, 2005: chapter 2). As Mark Leopold discovered just a few hundred kilometres to the north in Aru, this imagined world of the peasantry is experiencing a rapid transformation, as decades of agricultural unproductiveness has forced people to look for alternative incomes and a diversification of their livelihoods in order to maintain a decent means of living.[14] Similar to the environment of the village, therefore, there remains the possibility that political community in Lubiriha also becomes at different social and spatial levels, while at the same time existing as a stable social place. In other words, the locality of Lubiriha might also be the result of people's "active engagement with the external and internal social forces that crosscut and mould their world" (Wacquant, 1997: 347). Rather than a binary opposition, this engagement seems to produce a multi-layered institutional landscape that directly connects rural or peasant modes of production to the "border and bush economy" of the frontier, in which different actors and beliefs intersect and unfold.

Concentrating on this variety of overlapping livelihoods in the economy of the border, one in fact discovers a series of social institutions linked to sets of "beliefs, usages and forms" (Leopold, 2005). Instead of separated "moral" economies (Scott, 1974), however—which presuppose a binary relationship between the peasantry and the ruling class appealing to the market—people on the border "straddle" along these different life worlds by balancing alternative types of resources and livelihoods (Roitman, 1990). In line with Leopold, these life worlds are, respectively, the world of the land, the transborder economy and the assistance regime. The world of the land, referred to earlier, actually consists of a minority of peasants that lives from subsistence farming and the cultivation of cash crops like bananas, papaya and cocoa they occasionally sell on the Kasindi market. What the concept of the moral economy fails to grasp, however, is that most households in Kasindi continue to combine share-cropping with wage labour to supplement their destitute livelihoods. Constantly straddling between different social settings and life worlds, the dominant social setting on the border is that of the urbanized cash economy characterized by a constant struggle for survival and "fight" for one's daily livelihood.

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[12] On the cowboy images of the Congolese and Ugandan frontier, see amongst others Leopold (2005); Vwakyanakazi (1982) and De Boeck (2000). In the 1950s a movement called Billism (from Billy the Kid) emerged in colonial Leopoldville that partly combined the images of pioneership and social protest which will be further explored in this article (De Boeck, 2000).

[13] Interview with taxi driver, 24 January 2008; restaurant Chez Marie Transit (all interviews are translated in English, unless the terms have such symbolic meaning that they need to remain in the original language. In that case, they will be presented with single brackets).

[14] I have described this process in details elsewhere, and will not repeat my argument (see Raeymaekers; 2006; Vlassenroot et al., 2006). It is evident that inhabitants of the border are generally very reluctant towards assistance schemes that univocally relocate them to the agricultural sphere, because they commonly combine different income strategies in order to generate sustainable livelihoods (see also Ellis, 2000).

Usually associated with hard life and meagre incomes, the transactions occurring in the urbanized economy are subject to a tough bargaining process called 'match', 'coop', or simply 'la lutte', between private economic agents and state representatives. It is a world beguiled by stupor and miracle, or as the Congolese have it: "nous viv(ot)ons miraculeusement". These are the survival strategies so many accounts on Congo's "second" economy talk about, and which are aimed at supplementing the one dollar a day or less households can spend on average on food and other necessities (FAO, 2000; AfDB/OECD, 2005). Locally, people refer to this form of border-crossing as *fundura*; in Swahili, this term would probably be translated as *magendo* (Prunier, 1983). For most participants in Lubiriha's smuggling economy, *fundura* means fraud: "it means going covertly (*kofichika*)", one handicapped smuggler maintained, thus adhering to a rigid, almost legalistic interpretation of cross-border trade.[15] Nevertheless it is a fraud that also generates many livelihoods: "fundura means looking for life, it means looking for food and assuring one's proper survival", according to another female smuggler. Or as one other smuggler from Kasindi said it: "life is a struggle. Those who struggle, live" ("la vie c'est une lutte. Ceux qui luttent, vivent"). Commenting on the traffic these women maintain over Lubiriha's side-paths, he added: "all this is the fault of OFIDA [the Congolese customs service *Office des Douanes et Accises*]. When you want to import a crate of soft drinks officially, they are going to tax you one dollar or more per crate. How are you still going to find a living in such trade? They force us to take care of our livelihoods and pass over these tracks".[16]

Rather than just survival strategies, therefore, *fundura* also seems to involve a political action, accompanied by political discourse—or according to one declarant I interviewed, "fraud *is* politics".[17] Despite—or maybe because—this precariousness of life in Lubiriha, trade activities in this border town also exhibit an incredible richness in idioms and social symbols that directly or indirectly refer to their connection to the state and transnational capital. According to Bayat, these classifications constitute at once a way for disenfranchised groups to place restraint upon the privileges of what they see as dominant social groups, and thereby (re-) allocate segments of their life chances (such as transformations of capital, social goods, opportunity, autonomy and thus power) to themselves (Bayat, 1997: 56). Rather than directly opposing the rich with the powerless, however, such reallocations occur through a silent encroachment of popular symbols and cultural idioms expressed by the occupants of the transborder economy which, at the same time, refer to larger spaces of political strife and globalization. In the survival economy of the border, smugglers, traders and straddling state agents often explicitly refer to Western "anti-heroes" like Osama Bin Laden, the Taliban, and Kambale Kisoni—a Congolese smuggler involved in gold and arms trafficking, who was killed in a spectacular shootout in Butembo in July 2007 (Human Rights Watch, 2003; Radio Okapi, 5 July 2007). Instead of condemning their actions, the participants in this cross-border economy display the symbols and external features of these personalities in posters, T-shirts, necklaces and popular idioms. Whether entering a local market 'boutique' or customs office, it is not uncommon to find posters displaying Saddam Hussein or Osama Bin Laden fighting the American army. Calendars depicting Hussein, Qusay and Chemical Ali dressed up as Robocops are sold on market squares by itinerant traders from Uganda and Tanzania.

A bit further to the north, the UN Mission MONUC—which theoretically should protect the Congolese population against foreign and internal dangers—at a certain point prohibited youngsters to wear T-shirts displaying the face of Bin Laden, which local youth sanctified because of his resistance to "foreign domination". Such instances not only explicitate the slippery slope on which international peacekeeping missions can "straddle" during their interventions, they also hit an important social dimension of this transborder economy: that of anti-imperialist symbolism. In this context, it is worth mentioning that local smugglers, 'coupeurs de route' etc. do not put on anti-government attire or symbols that oppose president Kabila, but rather rage against the "Western" exploitation and domination of their country and resources since the era of dictator Mobutu. One particularly attractive popular culture among Lubiriha's youth for example, is that of Reggae music, with its proper symbols and body gestures referring to the Great Rasta Fari and anti-slavery discourse. Although more research is definitely needed in this domain, the world of *Babylon* central to Rasta culture serves to explicitate and give meaning to the continuous social struggle connected to these smugglers' daily activities of 'coop' and survival. As one Ugandan petrol smuggler wearing a Rasta wristband told me: "I *must* do this. Otherwise there is a war… We have to do this to keep us from being social devils". As I will show further, this statement refers at once to the explicit level of social conflict tied to these transborder actions associated with the rebel 'macquis' in the surrounding mountains.

Another striking example of this social conflict are the handicapped people that smuggle crates of soft drinks across the border in their makeshift vehicles and pushcarts. As with many other professions in Congo's "second" economy, these handicapped smugglers also have their own organization that includes a direct reference to their embedded social struggle: 'l'Union Fait la Force' (Unity breeds Force). "Because the government has left us behind, this is the unique place in which we still can find an easy living", one Union member told me on a Saturday morning: "when we are united we are strong, and we say it is also good to live in society".[18] To live in society often means entering in direct conflict with the world of "the state", however, in Lubiriha, two groups of state administrators can actually be distinguished, which respectively uphold a different interpretations of the intelligibility of the state's regulatory power. A first group is made up by senior officials who feel particularly strongly about the respect for the law and customs procedures. It is a small minority of 'bourgeoisie' educated in Mobutu's school of administrative studies, who commonly speak about current transborder practices in terms of "fraud" and "banditism", "corruption" and "le mal Congolais". This group is completely impotent, and is constantly hoodwinked by lower officers as well as trafficking businessmen that smuggle goods across the border. A much larger group of state men and women operating on the border in fact consists of lower administrators—some of whom have been appointed during the rebellion (the so-called 'bouffe-poignards')—who often maintain close connections with the innumerable intelligence and military services (*Demiap*, *Agende Nationale de Renseignements*, *Commandement Régional Militaire*) that circle around Lubiriha's market. Just like their fellow military, they interpret their work rather in terms of 'souplesse' and negotiation. An often heard phrase in this milieu is in fact "il faut être souple", or "soyez souple" (be flexible). Sometimes friendly, and sometimes angrily and threatening, the daily bread of these servicemen depends on cajoling passengers into giving a little money (*kidogo kidogo*) in the form of "taxes" or bribes (another

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[15] Interview with handicapped smuggler, 30 January 2008.
[16] Interview with Jaguar ('Jeune Adulte Gentil Uni en Ancadrement de Recherche'—sic), 26 January 2008.
[17] A declarant is the official importer/exporter that works as an intermediary for the trading business at the border. Interview 24 January 2008.

[18] Interview with Jaguar ('Jeune Adulte Genti Uni en Ancadrement de Recherche'), 26 January 2008.

often used term is '*motivation*', which directly refers to the personal livelihoods attached to this form of bribery). Very often heavy consumers of the local Primus beer, they are specialists in creatively "bending" the rules in order to facilitate the transit of merchandise for their friends-businessmen or politicians. This rude attitude is often a way to keep up appearances, however: since they work with very small margins, their only method of survival consists of subverting their superiors' position, while at the same time preying on weaker civilians whose livelihoods depend on the access to the market. Finally, there seems to exist an interesting geographical dimension to the division between these different social worlds: while the lower administrators and smugglers usually meet in the *nganda*'s and bars in Lubiriha's side streets—listening to Rasta music and forging new friendships that help them through the day—the educated class of state men and women live instead in a separate neighbourhood on the hill of Kasindi, isolated from the world of coping livelihoods and exchange occurring in the valley. This spatial division thus seems to materialize at once the physical rupture that exists in Lubiriha-Kasindi, not between the state and the non-state, or "formal" and "informal" worlds per se, but rather between two contrasting interpretations about the legitimacy (or licit-ness) of the state's regulatory power in the area of cross-border trade and fiscal relations.

The pluralization of regulation

One of the first conclusions one could draw from these observations in Lubiriha is the uselessness to look for clear social roles and fixity. When looking at the border as such—i.e. a locality that can create its own logic and systems of meaning—one actually notes the high tolerance and fluidity with which Congolese usually confront themes of legality, illegality and daily survival. Border towns like Kasindi, Beni and Butembo are widely renowned for the fluidity with which its inhabitants shift roles from government worker to smuggler, and even armed rebel. The appreciation one commonly hears about the state agents driving around in Pajero jeeps and building private estates for themselves is that they have stolen well ("*Il a suffisamment volé*"). The reason these agents themselves invoke for their organized theft is that officials at the border are hardly paid, and the temptation is very high to engage in "parallel" or "informal" protection schemes. The reaction of Congo's citizens towards this form of state predation is usually silent: instead of protesting they just pump up their traffic of ivory, illegal goods and minerals they smuggle over the border every day. When the government started re-imposing the limits of the Virunga national park after the war, for example, this was accompanied by an immediate rise in smuggled food crops and bush meat from the shores of Lake Edward (Butonto, 2004). Occasionally, this struggle for survival erupts into violent protest, mainly when the poor feel their livelihoods are under threat by withering economic gains or reduced political autonomy. Other authors have convincingly illustrated how the Congo–Ugandan border area has hosted a long series of armed resistance movements since colonial independence, which worked both in opposition and in collaboration with the newly independent Ugandan and Congolese regimes. While a detailed analysis of these movements falls outside the scope of this article,[19] this threat with local rebellion can be seen as a more general tactic by people at the border to resist post-colonial state power. A powerful tactic that is used in this regard is that of rumours: constructed hearsay, for example about someone's "dubious" origins, is often used to counter rigid state agents that

want to work according to the book, or do not accept institutionalized fraud practices. Such agents are usually immediately marginalized and dealt with in a sometimes violent manner.[20]

As said, the term "resistance" does not completely uncover the regulation of transborder practices at the border, however, which remains characterized by conflict and overlap, collaboration and resistance to state rule. Beneath the shallow surface of social protest, a different set of configurations has developed that involves the close collaboration between state and non-state, "informal" and "formal" organizations and institutions. To explain this, it is important to bear in mind the genesis of specific "regimes of violence", or the historical model of political control in the Semliki border region. Two aspects demand particular attention in this regard, i.e. the *débrouillardise*, or system of fending for oneself instituted under the Zairian dictator Mobutu, and the mixture between economic and political agendas.

Fend for yourself!

By the mid-1970s, it had become clear that Mobutu's system of divide-and-rule pushed the country nearer and nearer to the abyss. His Zairianization measures, which were to nationalize the country's economy, resulted in a massive capital flight as well as a complete dollarization of the economy. In the east of the country, the Zairian currency was increasingly refuted and exchanged for dollars or gold. While public officials were not being paid for years, hospitals and public buildings decayed into monstrous sculptures, and the Zairian administration increasingly lost its capacity to provide even a minimum of social services to its citizens. Mobutu's answer to this was '*Système D*', or '*Débrouilez-vous!*'. In one of his much acclaimed speeches, he called upon the population to cope with economic crisis by simply "fending for yourself", in other words to survive by every possible means. On the one hand, this set the stage for a second economy of survival, or '*la débrouille*' in which the means— to steal, corrupt, extort, collude, embezzle, bribe—increasingly came to justify the ends of survival (Trefon, 2002: 488). On the other hand, '*la débrouille*' increasingly also formed the foundation of an alternative social "contract" between citizens and the state, which allowed the latter to retire from public life while leaving to the former the possibility to act unlawfully—or in the words of MacGaffey: to engage in acts that were "more or less illegal, inadmissible" (Jourdan, 2004; MacGaffey, 1991). The net result was that from the mid-1970s onwards, "informality" gradually became the characteristic of the total of economic activity— not only the economy of "fending for oneself" to which appealed the poor and the impoverished, but also of the abandoned public officials and military that now had to scrounge their incomes for themselves (De Herdt and Marysse, 1996). Against this background of a failing Zairian economy, a booming cross-border trade developed in the triangle between Uganda, Sudan and Congo that mainly consisted of the smuggling of contraband across country borders. According to Thomas Callaghy: "almost everything produced or sold in North-Kivu is smuggled into Rwanda and Uganda: coffee, vegetables, palm oil, gold, papaya latex (*papaine*), cattle and goat skins, and small merchandise of all kinds. Almost all groups have been involved at one time or another: policy/ gendarmerie, army, JMPR, state agents, traditional authorities,

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[19] For more details, see amongst others Prunier (1999, 2004), and Mwanawavene et al. (2006).

[20] Several agents I interviewed (mostly seniors who have worked in the service for several decades) did receive direct death threats and some even asked mutation to escape from the constant attacks and harassments. On the role of rumours in protecting economic networks, see Jackson (2001).

Zairian and foreign local businessmen, and peasants" (Callaghy, 1984: 284).

At the same time, the rapid expansion of "illegal" cross-border activity also necessitated growing levels of protection, be it by the *gendarmes* or security forces associated to the Mobutist state, or by the rebel movements that operated at the border in collaboration with different state rulers. One example of this were the '*Kasindiens*', a movement that occupied parts of the Rwenzori during the 1980s and 1990s (its name is a direct reference to the border locality Kasindi). While it mainly survived through poaching, contraband and the trafficking of ivory, this rural militia continued to be protected by a coalition of local leaders with high political connections.[21] For the participants in the cross-border economy, this situation of state-non-state cooperation seemed not at all illogical, though: in a situation where state authority at the border had been completely "destructured" (Mirembe, 2002), administrators and armies were either underpaid or often not paid at all, and violence had become an increasingly common mode of forcing access to economic resources (Van Acker and Vlassenroot, 2000), this practice of "fending for oneself" gradually became accepted as an *legitimated* way to sharing the spoils of Kivu's regionalized political economy. Still today, customs agents and traders justify their massive circumvention of state resources because it reduces market prices and avoids random stealing by bandits and '*coupeurs de route*'. The fact that clandestine imports occur in open daylight and with the full knowledge of customs agencies somehow proves that fraud is, so to say, institutionalized. This is justified in turn by the fact that central government authorities directly neglect their local administrators, which stands in sharp contract with the extreme levels of poverty people at the border have to cope with in their everyday lives. For many people working at the border, be it as state agents, poor peasants, or rebel soldiers, transborder activity simply continues to provide a natural opportunity to supplement their threatened livelihoods.

Regulatory systems

While the term "social contract" is probably slightly exaggerated, it nonetheless suggests that despite the enormous levels of physical violence, the transborder economy of the bush can potentially generate more stable institutional arrangements capable of offering certain levels of economic and social well-being, while excluding others. Thomas Callaghy refers to these arrangements as semi-autonomous "subsystems" of power (Callaghy, 1984). In the Semliki border area, these subsystems continue to be reproduced through different methods of capital accumulation as well as a range of regulatory practices in the field of transborder security and socio-economic redistribution. One illustrative example of this trend is the *G8*, a group of Banande traders that has gradually acquired social standing and status in the regulation of

cross-border activities in the larger Semliki area.[22] Initially known as '*les fraudeurs*' in their home town of Butembo, some of these current governors succeeded in accumulating considerable amounts of capital through the smuggling of gold and other minerals to Ugandan and Burundian markets, just at a time when the Zairian official economy was shattered into a thousand pieces. At the same time, they maintained close connections to both the rebel *maquis* and predatory state officials who provided them with protection in different markets of "protection" (Shah, 2006). It is probably this ambiguous role, as hidden smugglers with open official ties, and "rebel" entrepreneurs seeking high political protection that made them into what they are today: non-official governors of the border region between Uganda and the DR Congo. Towards the 1980s, these Banande smugglers gradually became recognized as local "village lords" involved in juridical and political negotiations (Vwakyanakazi, 1982: 309), and some even fulfil roles today in the performance of state-like functions, like the financing of schools and hospitals, the construction and maintenance of roads and bridges, the provision of local electricity, and at some point even the construction of a local airport. Contrary to previous wisdom however, these emerging regulatory authorities do not operate against the state, but are rather involved in different scales of political decision-making—particularly in the domain of cross-border taxation. As I explained elsewhere (Raeymaekers, in press), these emerging power reconfigurations associated to transforming regulatory roles were not confined to the war, but became solidified in the post-war period when these different hybrid regulatory organizations were extended to other groups and organizations—including (but not exclusively) to the Congolese state.

To summarize, the previous example hopefully illustrates that the political economy of the border, rather than being a fight for scarce resources, is also a struggle for the means of legitimacy and categories of regulation. Paradoxically or not, both state and non-state actors see it as an "admissible" form (Prunier, 1983) to resist central state interference in their daily practices, and actively circumvent regulatory systems they view as exogenous or interfering in their everyday lives. Rather than just survival strategies, these practices also considerably question the intelligibility of the state's power in redistributing wealth and ensuring physical security by actively "bending" the rules underlying existing practices of regulation. At a more profound level, the confluence of such state and non-stated technologies in this African frontier region have apparently contributed to a "hybrid" political complex that combines different and often contradictory legal orders and cultures, but which simultaneously give rise to new forms of legal meaning and action.[23] Contrary to the common wisdom that political rebellion in the DR Congo was nothing more than a form of elite recycling rehearsing the basics of patrimonial state rule (Tull and Mehler, 2005), therefore, the actual *débrouillardise* and *auto-prise en charge* of non-state actors on the Congolese frontier formulated a sequential answer to the problem of regulating

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[21] One interesting case study of this ambiguity is that of Enoch Nyamwisi Muvingi, a Nande leader from Butembo (at more or less 80 km from Kasindi) and older brother of a current Congolese Minister. Originally engaged by Mobutu to support the Allied Democratic Forces in the north, he simultaneously sustained the Kasindiens in his home region of Beni-Lubero as part of his growing anti-Mobutist ideology (Muvingi was one of the young politicians that ultimately was denied political status by Mobutu). He finally died in mysterious circumstances in Butembo in January 1993, probably killed by Mobutu's cronies. His younger brother Mbusa later emerged as the leader of the RCD-ML, a split of from the Rassemblement Congolais pour la Démocratie that fought Laurent-Desiré Kabila in 1996–1997. Mbusa somehow followed in the footsteps of his older brother by supporting several Mayi Mayi militias (particularly remnants of the Kasindiens) as well as Ugandan rebels in the Rwenzori Mountains (see International Crisis Group, 2003). Nyamwisi is currently Minister of Foreign Affairs under Joseph Kabila.

[22] I will not enter into detail on the genesis of this group, which has been the subject of my Ph.D dissertation (Raeymaekers, 2007; see also Raeymaekers, in press). In Butembo, people refer to the G8 when they mean the eight or so most important traders in town that monopolize import and export relations. This name is at once a reference to the cartel-like and powerful nature of this group in this Congo–Ugandan border zone.

[23] An interesting parallel can be drawn here with the legal "hybrids" discussed by De Sousa Santos (2006) in Mozambique: i.e. legal entities or phenomena that mix different and often contradictory legal orders and cultures, but which give rise to new forms of legal meaning and action. According to De Sousa, they combine "different 'layers' of formalism and informalism, of revolutionary rhetoric and pragmatic rhetoric, of practices of autonomy and practices of networking" that coexist in different ways but are "always inextricably intertwined" (De Sousa Santos, 2006: 59).

political and economic space in the form of intermediate systems of governance operating at the dividing line between the state and the transborder economy. I will elaborate on this issue in a separate paper (Raeymaekers, in press).

Conclusion: Freedom comes in moments

To conclude, the border economy of the Semliki Basin illustrates quite clearly how despite the effects of market delocalization and state weakness, people on the frontier continue to give meaning to their lives "as places", and they construct some boundaries around their practices of community and livelihood provision no matter how sinister the context that cross-cuts and moulds their worlds.[24] The cross-border exchange in Lubiriha and Kasindi actually forms a neat example of a "border and bush" economy (Roitman, 2005) that connects peasant modes of production to an unfolding transborder economy linked to transnational capitalist enterprise. It is neither a protection racket between state agents and private businessmen, nor a pure resistance to state rule, but it rather illustrates the making of new forms of political interaction by disenfranchised citizens in the face of political and economic crisis. This example suggests that by questioning the modes of classification and standards of evaluation, people through their everyday lives can also progressively challenge conventional notions of political and economic power, which makes them the potentially matrix of political transformation (Greenhouse, 2002: 4). In theoretical terms, this silent encroachment of the Semliki frontier illustrates that despite the constant reproduction of privatized state rule, there actually exists an endless array of strategies and tactics that serve to bend and escape boundaries imposed by the (post-)colonial state through an increasing commodification of political power. This struggle can give rise in turn to "hybrid" systems of regulation that mix different and often contradictory legal orders and cultures, but which nonetheless accentuate new forms of meaning and action. In the case of the Semliki Basin, this system emerged from a combination of different layers of formalism and informalism, complicity and resistance emerging from '*la débrouille*' and Mobutism, which correlate in different ways but remain always explicitly interconnected.

Next to this changing matrix, the border is also a place that gives room to considerable creativity and innovation—in casu in the sphere of socio-economic regulation. The smugglers that have been operating for centuries on the Congo–Ugandan border—be it the Yira traders during colonial occupation, or the contemporary Rasta crossing into Uganda on their *boda boda* motorcycles—have developed a talent in avoiding contact with official authorities while at the same time maintaining their physical protection. This has often involved a tight walking of the rope, a fooling of the other one's game that is largely regarded as a quality and guarantee for social standing.[25] Besides the many physical dangers linked to cross-border trade, these qualities of '*coop*' and '*match*' suggest an integration of risk in the social space of the border that certainly merits additional research. As I suggested in the beginning of this article, the terminology of "risk management" and "coping" does not completely cover the role that risk-taking plays in these

transborder livelihoods; rather it is its integration into a larger systems of meaning and sovereignty that will provide us with potential answers. Instead of rationalizing or overdetermining the survival of people on the border, therefore, it might be better to continue giving voice to people's own ways of acknowledging and recognizing particular aspects of their lives, and recognize their creativity with regard to "crisis" (Greenhouse, 2002; Roitman, 1990).

A last and potentially interesting conclusion of this analysis is that contestation and complicity towards post-colonial state practices are always temporary phenomena, linked to specific times and places. Indeed the very nature of '*coop*' and '*match*' (or the constant haggling and bribing connected to the economy of the bush) suggests that people maintaining fluid social roles can enter into a negotiation of identity and political space that produces different political outcomes, going from outright opposition to a dialectic of repression, to the subaltern becoming (temporary) ruler. All these different outcomes are connected in turn to specific instances of negotiation and confrontation that are inherent to the molecular relationship maintained in the economy of the bush. Rather than a "weapon of the weak" (Scott, 1974), the element of social protest discerned in people's everyday practices at the border can thus be understood through specific instances or symbols, which are tied to an otherwise silent but subversive struggle for a dignified and decent life. Perhaps the best way to describe such processes is that of Fabian's description of popular culture, which he defines as "moments of freedom". These moments are given meaning by a creative thought and thoughtfulness about political power and its abuses, which generates its own power of resistance to "work against the accumulation and concentration of power" (Fabian, 1998: 120, 133; quoted in Roberts, 1999). Instead of conceptualizing an "uncivil" civil society, or "alternative" livelihoods and places, therefore, it might not be desirable to look for a fixity of social and political functions in these transborder practices, which rather expresses our consternation towards the fluid boundaries that continue to give life there its meaning and direction. As Fabian warns us, we should be wary of "things falling into place" when analysing phenomena like popular culture or vibrant border economies, but rather "let contradiction stand" in order to grasp the others one's expression according to his/her own dynamic terms (Fabian, 1998: 61, 91; quoted in Roberts, 1999). In that sense, quite a lot of work can still be done in the temporalization and spatialization of such transborder economic and cultural dynamics, which all remain intrinsically embedded in certain *structures* of relationships and institutions. This observation simultaneously reminds us of the fact that the contemporary systems of regulation we observe at the Congo–Ugandan border remain explicitly embedded in the economic mode of production of the African frontier, which relates both to historical systems of sovereignty as well as contemporary modes of (capitalist) interaction. Although it is indeed tempting to see the border as a separate reality, with its own logic, symbols and interactions, it remains crucial to integrate phenomena such as transborder economic enterprise and silent subaltern encroachment into a historical system of production and meaning—which indeed remains a fascinating subject for future research.

Acknowledgements

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[24] In a different sense, this situation was already confirmed by Bierschenk and de Sardan, 1997, 1999), Lund (2006, particularly Le Meur and Blundo in this issue) and Roitman (1998, 2005), who all note a progressive institutionalization of everyday regulation systems, which results from the interplay of people's mobility, control over resources and different "regimes" of violence.

[25] Probst and Spittler (2004) see three domains in which this vitality in Africa is most prominent and which they label "identity" (linguistic, cultural, religious, etc.), "appropriation" (of the global by the local), and "expansion, rivalry and conflict" (see also Arnaut and Hojbjerg, 2008).

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FROM THE BACKSTAGE OF TINARIWEN BAND:

BORDER CROSSING AND TRANSNATIONAL CULTURAL ASPECTS IN CONTEMPORARY TUAREG MUSIC HISTORY

The history of Tuareg guitar music, its style, its poetry, and its recent evolutions both represent and express the historical fracture and the socio-economical upheavals born out of the advent of post-colonial States. Current relationships between geography, music, and politics in the *Tuareg* region of Central Sahara illustrate the multiple migratory processes of the *Tuareg*s. Independence deeply affected the economical and political geographies of *Tuareg* groups in Northern Mali and Northern Niger, those furthest from the new centralized political powers. In their vast territories split between five States (Mali, Niger, Burkina Faso, Algeria and Libya), the *Tuareg*s became outlying minorities coming under different policies from their respective authorities: in Algeria and Libya, they are integrated *via* assimilation policies of national citizenry, while in Mali and Niger they are kept out of post-decolonisation transition policies and different national logics according to the region concerned. To this stato-territorial analysis, was added a complex diasporic process of which the *ishumar* music is a testimony with regard to its migrations and evolutions to an intra-saharan scale. It takes on an original trans-national cultural value when viewed in its current cross-border set out.

Line of Argument / issues

What are the issues and theoretical questions raised by relationships between national borders, music and the formation of transnationalism among Tuaregs today?

We put forward the hypothesis that, after independence, contemporary (postcolonial) Tuareg society has become one of the largest transnational societies in sahel-saharian Africa. The process in particularly is obvious in the historical developments or the ishumar music, whom Tinariwen Band has been a symbol, and its complex territorial dynamics. We will try to show how his musical culture is defined by its territorial, sociological and performativ fitting in the transnational, intra-saharian, networks of the Tuaregs of Mali and Niger from the Algerian and Libyan South. The transversal aim of this paper is also to make a distinction between building of the Tuareg transnationalism and disporic process of some groups, to set apart the various strata currently covered by the word transnational for the Tuaregs today.

Our line of argument is based on the following focus:

- Through their historicisation, we shall try to describe the migratory processes that lead to this transnational culture. Within the diversity of theses migratory phenomena, we shall note and discuss the particular diasporic dimension of the Malian Kel Adar.

- Through an anthropological analysis of their music (as a performancial process of poetic production).

- Through specific mobility practices of the ishumar, we shall illustrate some aspects of their transnational culture. Here, we shall mainly draw on an analysis of how the music circulates.

- Historicisation of the historical process of the emergence of this music.

- Outlining (mapping) these networks and mobility.

- These networks currently form a relatively all round meshing connecting all various locations in their territory.

Postcolonial migratory phenomena of the Tuaregs cannot easily be encompassed in one typology. Their description and analysis show a superimposition of multiple processes:

- Political, economical and climatic migrations

- various cross-border practices (bi-ter),

- « illegal » cross-border mobility,

- non migratory transsaharian or cross-border circulation

- motivated mobility within their social or family networks encompassing several national territories.

2

- Diasporic process concerning Kel Adar group.

Tinariwen songs in the Tuareg nationalist movement and in the emerging process of a Tuareg transnational society

The history of the Tinariwen band speaks volumes concerning current Tuareg mobility's and their relationaships to post-colonial territoriality. Their history is rooted in the border area between Mali and Algeria, between Tessalit and Timyawin. Both villages are small distant[1] across the Algerian border town of Timyawin downstream of the Tessalit wadi, from Tessalit south-eastward in Mali. All Tessalit inhabitants have long been in contact with those of Timyawin: this is the area of the Irregenaten tribe and their traditional area of nomadisation.

Inteyeden from Timyawin and Ibrahim from Tessalit were brought up together in Timyawin, have known each other since childhood; they were to be guitarists leaders of Tinariwen. During the bloody 1963 suppression in Mali, the northern Kel Adar crossed into Algeria. As a child, Ibrahim ag El Habib, who was to be the guitarist leader of Tinariwen, scratched its first chords on the "guitare-bidon" (can guitar) in Timyawin where he took refuge with his sister and his uncle after his father was assassinated and his family properties destroyed by the army in 1964. Their musical adventures will definitely seal their friendship and embark them on an extraordinary cultural adventure of the Tinariwen band. They belong to the first ishumar generation, born at the time of the independences and their songs make its social chronicles for two decades. Between the 60s and 70s, more than 50 % of Kel Adar groups flew to the Ahaggar in Algeria bringing with them many orphans. Family dispersal and social marginalisation are some of the consequences of this diasporic movement.

This historical fracture was the start of cultural and identity reconstructions for the post independence Adar Tuaregs in particular and for many Malians and nigeriens Tuaregs in particular. It forced on them a new kind of mobility so far unknown within the very ancient tradition of mobility. This was the time of the exodus, on foot, towards Southern Algeria for these nomads fleeing the army after losing their livestock in the droughts of 1968-1974. In small groups, they walked to Tamanrasset with only a five-litre water can to brave 700 km to the Hoggar Wilaya. This is the "can

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[1] 80 km environ**.**

road" as the first Ishumar call it then[2]. Successive waves of young men left home and started a new adventurous way of life, faced with hostile authorities and state borders depriving them of any citizenship. Consequently, they crossed these borders illegally or, as they say in French, "en fraude" [afrod]. When included in their vocabulary, "afrod" has been referring to various smuggling cross-borders activities. They started smuggling on foot, as a kind of subsistence economy during the droughts of the 80s, in dangerous conditions (Ag Ahar, 1990). At the time, the word *ashamur* referred to various exclusion forms of citizenry and education, shared by all Tuaregs, in Mali as well as in Niger, as mentioned in these verses: "[On the road to exile] We have no [nationality] papers, no education [litt. books] other than our amulets[3]. This particular diasporic movement reached the southern Tuareg general migrations mixing economic and political factors in the context of a difficult and long lasting post-colonial transition of the Tuareg groups living at the periphery of the new states following the colonial era. From the 1970s on up to the 80s, a series of political and economic factors, including droughts, brought about new migration waves originating from the Azawaŕ valley and Tamesna (Niger and Mali), Aïr (Niger) and Adar (Mali).[4] The Tuareg political movement and 90s Tuareg rebellion emerged from this postcolonial process by the end of the 70s (Boilley 1999; Lecocq, 2002) based on the teshumara social mouvement of mixed malian and nigerien tuareg youth.

The Kel Adar brought with them their poetical and musical traditions and turned them in a creative process in an urban context, between the modern instrumental tone of the guitar and the vocal melodic repertoire of the rural female drum. It constituted the point of their musical innovation and appeared as a musical revolution and a support of teshumara identification. Tinariwen Band born in the late 70's, emerge in this particular musical and social background made up of mixed urban tinde, "can-guitar" and women refugee's poetry:

> Oh mother! Since I left for Libya persevering,
>
> I finally arrived! But I cannot settle in no way

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[2] Sing., *ashamur* or *shumera*, plur. *ishumar*. From the French [chômeur] (unemployed person) a word used during the South Algerian exile as early as the end of the 60s Cf. Claudot-Hawad,

[3] "*Wer legh elkad faw iktaben /Kunta weddegh i ishraden*".

[4] Most Tuareg groups were affected at one time or another by political exile, by seasonal labour migration or by droughts. The pastoral economy was distressed by two extreme droughts (1968-1974 and 1984-1986). Most nomad families took refuge in urban centres, where shanty areas popped up and became de facto ghettos for destitute refugees around Arlit, Niamey, Gao, Agadez, Tamanrasset, and on the border posts between Algeria, Mali and Niger. Young men, for their part, mostly from Kel Adar(Mali), Kel Aïr or Kel Azawaŕ (Niger), migrated into an informal exodus circumscribed to convergent cities (Tamanrasset, Ŕat, Sebha, Sebha, Ubari) of the Tuareg regions in the Southern Algeria and Southern Libya.

I search for the necessary money through all means

But it desperately refuses to accumulate […][5]

As a reformulation of the traditional rural tinde (female drum and singing), it represented a cultural reproduction value in this social crisis context. The guitar tuareg music was performed in parties (zahuten) also became a strong anchoring point for mobile and flexible youths in their travels and activities. They also represented a forum for free speech and debates on the Tuareg's situation in their countries or among exile communities. *Teshumara*, as a social and cultural group and belongings, developed itself upon new solidarities, outside lineage affiliations, because ishumar had to solve basic problems such as housing, job opportunities, illegal mobility, mutual financial aid, and conveying information gleaned during their many trips between the various localities in their range. Cross border travels either in 4 wheel drives or by walk related to risk control typifies their clandestine mobility, connecting them to several identities, territories and strategies, which they call teshumara, as a substantive. The ishumar have been the link between the various tuareg diasporic communities, keeping in touch with their original groups and generating a wide network.

The Tinariwen band joined the Tuareg organization which was created in Libya, between 1978 and 1980. The leaders encouraged them and supplied them with guitar and equipment. Militant poets offered them several compositions that they turned into songs:

Friends hear and understand me

You know, there is one country

One goal, one religion

And unity, hand in hand

Friends, you know there is only one stake to which you fettered are

And only unity can break it [6]

They also perform many songs just telling about their feeling of oppression and their appeal to revolt: Youth of Sahara, we warn you

Do not believe that we are unable

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[5] Tinariwen, *Aman Iman* : Ahimana (track 4), 2008.

[6] "Imidiwan segdet teslem": 1978, Libyan period. One of the first tunes (Belalimat 1996) of Tinariwen band adapted from a poem of Intakhmuda Ag Sidi Mohamed (Klute, 2001). Transcription and translation in French: Belalimat 1996.Translation in English: Lecocq 2002.

To reverse the procedure

This new world, we are crushed there

Because it woke up first

I tell you, courage, courage, courage!

Let us rise, do not to let the time escape us

Together, let us rise and let us join up

Please my brothers; let us unite in order to up rise[7]

Tinariwen tunes immediately became the musical cult of the tuareg nationalist movement and of all youth in exile both in Algeria and in Libya. It spread to the native regions of the migrants (Mali, Niger) thanks to tape recorders and cassettes, and to the underground strategies of mobility and diffusion. An intense phenomenon of tape duplication of the performances and the exchange of recordings developed among Ishumar. The power of alluding to the ashamur song at the time depended on several mechanisms such as the emphasis of the historic country (imidiwan win akal-in / nak ezaghagh el-ghurba), the allegory of the reinvested homeland (as-Sawt el wahush), the permanent reaffirmation of social and family links beyond absence, the construction of political solidarities, the call for action, in an address fraternized on the "phatique" mode (Belalimat 2003):

I live in deserts [tinariwen]

Where there are no trees and no shades

Veiled friends, leave indigo [turban] and veil

You should be in the desert

Where the blood of kindred has been spilled

That desert is our country [akal] and it is our future

Kel Tamasheq [Tuaregs], how are you? Where ever I am, I think about you[8]

All these themes being performed through the narrator's song subjectivity. Till the peace agreements in mid 90, the band performed as a flexible and mobile association serving the purpose of the tuareg political movement. The performances were motivated and connected to social and historic circumstances from the beginning (end 70s to mid 90s). One song relate directly to the main

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[7] Tinariwen, 1981. (from Belalimat, 1996)

[8] Song from Tinariwen (1979). Translation in French (Belalimat 1996) and in English Lecocq 2002.

Algerian expulsions cycle which occurred in 86 to push back Malians and Niger Tuaregs draught refuges from Tamanrrasset to borders Malian and Nigerien border posts[9]:

Friends, listen to me

I will tell the truth till you hear it

The expulsions you are the victims of are hitting us

Oppression has broken the elders who mattered to you

Friends listen to me

I will tell the truth till you hear it

The expulsions you are subjected to

Oppression has broken all wise men that mattered to you

It is a shame on our future

It has broken the history that mattered to you

Companions, we tell you this:

Better to die than to live this life

Friends, we do not accept this pain, this pain

Friends, listen to me

I will tell the truth till you hear it.[10]

The same year another musician of Tinariwen, Keddu Ag Ossad, famous among ishumar for his revolutionary personality, has integrated 'Libyan Army Commando' and participate with many others Tuareg to the last Libyan offensive (see Lecoq, 2002) in Aouzou (Tchad). During this fight he composed this song addressed to Tuareg Revolutionnary movement still in construction at this time:

Si l'armée touarègue s'unissait

Elle gagnerait toutes les batailles

Face aux occidentaux, face aux musulmans

Les quatorze soldats en question ont battu l'armée française

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[9] Bellil et Dida (1995) : En 1984-85, la sécheresse accentue sa prise sur le Sahel, provoquant une nouvelle arrivée de "réfugiés" provenant cette fois-ci de l'intérieur et même du sud de : l'Adrar des Ifoghas. Considérant certainement que le "seuil" est atteint, les autorités algériennes procèdent en mai-juin 1986 au refoulement de nombreux Touaregs installés à Tamanrasset. Les dépassements parfois dramatiques auxquels ont donné lieu ces expulsions ont suscité une campagne de dénonciation dans la presse internationale. »

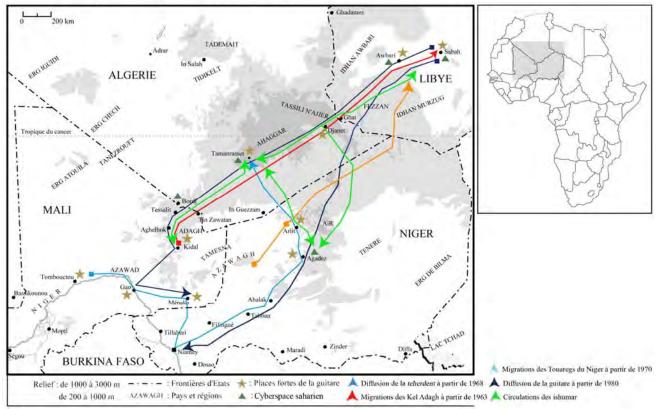[10] Inteyeden, Tinariwen, Imidiwan ahi segdem (Belalimat, 1996)

Postée dans une montagne dangereuse

Bravement, ils se sont battus

Vous qui êtes restés derrière, que dites-vous?

Nous envisageons l'avenir que vous l'acceptiez ou pas

***

Musique et migrations des Touaregs : 1964 - 2000

While people were migrating northward, the ishumar music was penetrating southward, within Malian and Nigerien territory and nomad homeland society. Many tuareg groups concerned with those kind of political crisis or with dispersal were maintaining imaginary relationship through tapes and songs. The music of Tinariwen and Takrsit n akal (Tuareg Niger Band created in Libya in 88 and performing ishumar music) circulates and reaches the media while still underground, and in a context

of the gestating conflict with the States. The cassettes are smuggled back home, sending a message and raising awareness, telling that an armed Tuaregs movement is being organised and may come to liberate them and avenge the crimes they endure.

In the 80s, the genre gained widespread acceptance, especially among the Ishumar from Niger in Libya. A troop of *Ishumar* guitarist from Aïr (Niger) appeared in 1988 around Abdallah Imbadougou, called Takrist-n-Akal, "the land building". Almost all new ishumar groups of the 2000s have been taught guitar by musicians of these two first bands.

In 90/ 91, the rebellion attack and conflict is open. Musicians joined the mountains where rebels are settled in northern Mali and northern Niger. After peace agreement, musicians made a progressive return to homeland. They made a big tour in all Tuareg regions, even in Bamako and Niamey where Tuareg community discover their faces for the very first times even they have been listening and singing their songs for years thanks to tape migration.

Post war ishumar tunes: national and transnational music evolutions

After peace agreements, both in Mali and Niger, that music became in next to no time the music of the Tuareg youth in their national context (Algeria and Libya where it emerged but also Niger, Mali and Burkina contexts), as well as that of the capitals (Mali, Niger) where it is as much a mode of cultural and identity expression as a means of entertainment and cosmopolitan gatherings. The bands bloomed and opportunities to perform diversified. The music became the support of youth's danced festive practices openly based on mixing gender and close to former Takemba luth style and dance enjoyed by the previous generations[11]. The music took over the most part of the private spheres (marriage, baptism) and performances assumed several roles and functions.

In the middle of the 1990s, at the outcome of the politics of rebels in Niger and in Mali, the *alguitara* music performances go along with the peace process agreements and lose their clandestine and subversive characteristics in this new context. The urban youth seizes it immediately as new groups bloom and the *Ishumar* guitar becomes the most popular music among *Tuareg* youth. The 1990s are a transition period from an underground music, politically very connoted, towards a popular music the youth can identify with and make theirs. Ishumar music recent development is nowadays part of both national and transnational processes.

In Mali, in 1999, a new dimension of Tinariwen's history began, following a meeting between the French band Lo'Jo and Tinariwen. They produce their first western CD (Radio Tisdas Session, 2000)

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[11] See Card 1998 and Belalimat 2008

and launched "the Festival au Désert of Essakan" (Tombouctou area), designed as a global scene of exchanges and meetings between local, Malian and western musicians and devoted to the Malian peace process. "The festival au desert" became the stepping stone of their western broadcasting. Within a few years, Essakane became the arena for cultural and musical tourism in Northern Mali and a cultural instrument at the service of the reconciliation and the developmentist discourse concerning the northern region. It is also a place for intercultural connections with multiple dimensions which we cannot start to approach here in detail. The festival became the centre of attention and promotion for the local bands in search of western producers. Beyond these issues, the increase in the number of cultural festivals[12] these last few years shows a strong desire for integration into national development policies through culture, allowing rural communities or peripheral and enclosed areas such as the Adar to promote their region on the national scene.

As it followed the youth turn back to homeland and their engagements into national citizenship integration, it also related to transnational mobility as a creative process thus the diasporic framework stayed and most and the *ishumar* social and territorial equation still occurs.

The music as a pointer to Tuaregs' cross-border and transnational inter-connectivity

As we have seen, the history of Tuaregs' postcolonial migratory processes generated a resizing of social and family relations. Interconnectivity between various 'points' in the network is crucial in a system of distant social relationships where the various communities regularly interact and communicate between the most remote area (Libyan Fezzan) and the closest homeland. Before telephones reached the Sahara, cassettes were (and still are) one of the main dissemination means for music. Cassettes (tapes) were the media of the 80s and the 90s as we stretched previously : they crossed the borders with the ishumar illegal mobilities, and then circulated within the transnational Tuaregs' space. They are cheap and resistant to harsh desert conditions. Tape-players still play a part as a media and as a means of cohesion between scattered groups. They are also and have always been a safe and efficient interpersonal means of communication where the beneficiary could receive various contents on one cassette. The private cassette travels from hand to hand, or when a relative is travelling to a distant point in the network. Usually, the cassettes are handed directly to the beneficiary and it is anyway a good excuse to visit relatives and circulate the news (isalan) which is

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[12] Essakane, and also Essouk festival, traditional gatherings of Tamadasht (Menaka), Ségou festival, Tessalit camel fair, etc.

the sociological catchword for Saharan communications. Gathering information and communicating within the group remain fundamental social practices which became even more important with the territorial fracture of the groups. The beneficiary can receive a private oral message on cassette, or taped poetry, or receive as a gift a private music recording, i.e. a recording made especially for him or her. These practices fit into the network of established social relationships; they abolish distances, and maintain an active solidarity within a segment of the network or throughout the transnational network.

With the development of cyber communication and telefones technologies in the Sahara and Sahel, the *Tuareg* guitar bands are played on the Internet today and exchanged as digital formats, thus generating a new system of local, translocal and of course global music exchange. The recent advent of telephones in the Sahara and in the Sahel increased the network of transnational communication systems. Telephones have become a fundamental parameter in consolidating sahelo-saharan Tuaregs' transnationalism. The Internet is also well on the way to increase the density of the links between scattered communities.

As far as music is concerned, one can draw up various assessments:

- Within the last decade, telephones and Bluetooth technologies have totally taken over the exchange and circulation practices of music: an evening performance or a musical piece taped by young Kel Adar from Sebha can be heard within three or four days in Tamanrasset, depending on travelling opportunities, and reach the Algeria-Mali border (2000 kms (environ) away). The MP3 file will circulate from hand to hand, from telephone to telephone, from encounter to encounter, and circulate easily thousands of kilometres away from its first emission/reception. In the end, the circulation system is the same.

- The settlement of a cultural (artistic) matrix based on transnationalism: in 2008, within a few months, the song Aïcha[13] (Tamikrest Band, Kidal) became the most popular hit among the young Tuaregs, between Sebha, Djanet, Tam and Kidal. It started as a street song, a kind of ritornello sung by children in South Algeria and Libya. Rhissa (who did a stint as bass player with Terakaft) made it into a song by developing the poem[14]. The theme was rearranged by Ghousman of Kidal's Tamikrest band that incorporated it in his repertoire (available on myspace_tamikrest).

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[13] http://www.myspace.com/tamikrest

[14] « Comment va Aïcha, qui est dans le ruisseau, qui ressemble à une fleur qui a grandi au bord de l'eau. Si seulement on pouvait avoir deux cœurs, un pour vivre avec et l'autre que je donnerais à Aïcha pour qu'elle se réjouisse à jamais. Je l'aime vraiment, mon cœur le sait, mais elle, où est-elle à présent ? Mon âme brûle »

Though the details of the chains of transmission are not known, it is remarkable how quickly musicians assimilate all artistic matter coming their way from beyond the borders. This is also evidence of the homogeneity of musical forms and of the formalisation of aesthetic criteria within which music is created, beyond border and national logics. Mobility and creativity are thus strongly linked to the current musical process, and their translocal networking contributes to the emergence of a Saharan tone in its own right.

- A musical and political heritage forged in exclusion, and social and political struggles, but based on local musical heritages of their homeland: comment tamayot song.

- Within the younger generation of Kel Adar musicians (the third since Tinariwen), the interknowledge is very high (often alongside with artistic rivalries). Nephews, cousins and children of the pioneers all grew up together or within the same circle of family ties between Tamanrasset and Sebha; they were brought up with Tinariwen hits and all of them, while still very young, tirelessly repeated the classics of the band on their can guitars. The pioneers also often invested time in teaching guitar to all young ishumar present. Japonnais, Keddou, Inteyeden (Tinariwen) and Abdallah Imbadougou (Takist n akal), amongst others, are known for putting themselves out to teaching songs to any motivated youngsters who crossed their path. The song aman win kawalnin or aswagh e shay de Inteyden (vérifier) is well known by all young musicians as a practice piece because it is easy to play. It deals with musical transmission of repertoires and techniques of the song "patrimony" of Tinariwen.

- The formation of an original musical culture reaching beyond the initial confrontation and asserting itself both within the national framework and within the transnational society: Amidi nin de Kanna et Adanne (Tombouctou) also became a transsaharan hit travelling across the borders along the Tuaregs Malian networks.

- The music is given publicity through the mediq between transnational communities, either physically through youngsters travelling along the "diasporic"/ circulation axis, or digitally with the development of the Saharan cyberspace. MP3 files are sent via Internet or via the latest telephone technology which is penetrating the Tuareg space through Libya (from the Middle East or Asia)

Les ishumar, passagers clandestins de leur propre territoire

La teshumara est donc marquée depuis ses débuts par un processus à double face qui a inauguré une sous-culture (subaltern culture) taillée à la marge : pas de papiers, pas d'éducation, et des stratégies

de survie fondée sur une connaissance intime du terrain, des réseaux de solidarités étendus, une
mobilité rapide, flexible et précaire.

Ils ont une pratique du transnationalisme forgé en dehors des citoyennetés, qui s'est nivelée
culturellement et dynamisé par le bas, à la marge (exclusion, pas d'instruction, ni de scolarisation,
théorie du passager clandestin) mais qui a aussi créée une histoire commune aux touaregs, qui les
poussé dans des solidarités inédites et convergentes: Le mouvement des ishumar a permis aux
touaregs du Mali et du Niger de renouer les contacts avec les Touaregs algériens et libyens de façon
progressive, constante, multiple et mais aussi contradictoire (cf. dida Badi) depuis 40 ans. Le
transationalisme des ishumar est paradoxal en ce qu'ils sont les passagers clandestins de leur propre
pays et projetés dans des formes multiples de marginalité: pas de citoyenneté, pas d'instruction et
brutalement déterritorialisés.

<div style="text-align:center">

« On voyage entre les pays, on fait les touristes

Mais quand on rencontre la police,

Boom, bang, ça cogne direct, pas de discussion.

On n'a pas de visa, on n'a pas de passeport !»[15]

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The close links between state borders and relegated national citizenships appear in lyrics as
metaphors where roads are described both literally and figuratively as economic and cultural dead
ends. Nearly 15 years after the peace agreements, the return of Tuaregs rebellion in 2006 and 2007
both in Northern Mali and in Northern Niger are not a sign of successful integration in those
Saharans areas in both countries. Hindered walking represents the current political dead ends
(Claudot Hawad, 2006). Walking alone in the black night, "afrod", leads to the "maquis" and to war,
as this song seems to tell us:

<div style="text-align:center">

Roads are cut, borders closed

With no mount, walking is painful

We walk in the black night

My heart illuminated by the obvious

My friend with whom I shared so many ordeals

Our shared words entered obscurity

Our grief is sour, we endure, we are relegated far behind

Because I drank many times the water of secrecy

Today I am in the mountains and each one of us is on one's guard[16]

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[15] Terakaft, 2008 : " we travel between countries, we make tourism but when we meet the police, boom, bang, fight
express, no discussion there. We have no visa, we have no passport! "

Ce mouvement social relève de stratégies économique de survie dans un contexte économique sinistré, non régulé ou corrompu, aux zones frontalières non intégrées[17]. Circonvolutions périlleuses des ishumar : se déplacent généralement sur un itinéraire propre à leur réseau social, les ishumar ne sont souvent d'ailleurs pas forcément motorisés dans ce cas, se déplacent souvent en ayant recours aux « fraudeurs », les passeurs qui transportent marchandises et personnes d'une région frontalière à une autre sans quitter le territoire historique des Touaregs. Les occasions de passager clandestin qui vont de l'Algérie au mali transportent quasiment tout ce que l'Adar consomme : denrées alimentaires, gaz, essence.

L'Adar en tant que 8e région du Mali est une jeune entité administrative (1992), suite au pacte national entre les fronts touaregs et l'Etat du Mali. Le retard de la région en termes de développement économique par rapport au reste du pays est criant. L'économie régionale se base sur deux activités majeures, le commerce et l'élevage de subsistance. La situation de sous-développement de l'Adar la place au défi d'atteindre la plupart des Objectifs du Millénaire pour le Développement de l'ONU. Récemment, le président du Mali a lui-même reconnu la situation socialement et économiquement potentiellement toujours 'explosive', et entre les lignes, pris acte des relations historiques et économiquement vitales nouées au cours des dernières décennies entre les Adar maliens et algériens transfrontaliers: «Quand je parle du nord du Mali, c'est comme si je parlais de l'Algérie. Gao, Tessalit et Kidal sont pour moi la dernière wilaya de votre pays. Ce sont des régions très pauvres. Il n'y a pas de routes, de centres de santé, d'écoles, de puits, de structures de base pour la vie quotidienne. En fait, il n'y a rien. Un jeune de cette région n'a aucune chance de pouvoir se marier ou réussir sa vie, sauf peut-être de voler une voiture ou de rejoindre les contrebandiers. Alors, donnons-leur une chance pour qu'ils ne prennent pas les armes. Je n'ai pas manqué de dire à mes amis algériens de ne pas oublier que cette région est une wilaya de votre pays vu les relations étroites qui lient nos deux populations. Il faut qu'il y ait une vaste coopération dans le domaine du développement, qui reste la seule parade contre toutes les menaces… Pour gérer ces menaces, il faut que l'Algérie sache qu'elle a une wilaya de plus qui est Kidal.»», a déclaré le président malien Amadou Toumani Touré au quotidien algérien El Watan [1] en mai 2009.

At the beginning of the XXI century, Ishumar guitar tunes can be understood as music in tension between both contemporary national integration processes and Saharan transnational political agencies regarding new uprisings in Northern Niger (since 2007) and Mali (2006). This process implies

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[16] Terakaft, *Akh Issudar*, Song "*Haran bardan*" of Leya Ag Ablal (Track 9), 2008. Traduction : Nadia Belalimat.
[17]Inser historique cooperation frontalier Mali / Algérie.

a fundamental questioning concerning the ways of socioeconomic development of the Saharan peripheries of the regional States. The ishumar's transnational mobility such as we tried to sketch it here raises the question of the necessary consideration of saving the cross-border societies, and their integrations in the economical processes at the national scale.

Les Tinariwen, symbole de l'intégration frontalière à venir de l'Adar algéro-malien ? Le cas de Tessalit (Mali) et de Timyawin (Algérie).

L'économie régionale se base sur deux activités majeures, le commerce et l'élevage de subsistance. La situation de sous-développement de l'Adar la place au défi d'atteindre la plupart des Objectifs du Millénaire pour le Développement de l'ONU.
Au niveau des structures de prestation et de diffusion de la musique, la situation de l'Adar est paradoxale. La culture populaire de l'Adar (malien et algérien) est en effet caractérisée par des pratiques festives et festivalières vivantes mais son réseau d'encadrement et de promotion et d'insertion dans les politiques publiques ou l'économie de la culture est fragile et disparate. En dehors des quelques festivals importants, elle se caractérise par son isolement des réseaux formels nationaux de la culture et par le manque de relais régionaux au niveau national. Les Festivals naissent de la volonté des autorités locales, notables, cadres, artistes, artisans et autres hommes de culture de la région. Ce sont des festivals des arts et culture touarègues, pour un public de nomades principalement, mais aussi pour les festivaliers venus du reste du Mali, d'Afrique, d'Europe, et d'ailleurs. Ils programment de la musique, la danse, les arts poétiques touaregs, l'artisanat, parfois les techniques et savoirs traditionnels. Ils sont utilisés par les communautés comme forum de communication civique et social et comme moyen de promotion de leur région au niveau national. Ils sont porteur de développement à divers degrés, et crée des opportunités économiques pour les populations locales.
Plus généralement, la région transfrontalière de l'Adar est doublement isolée des circuits commerciaux maliens. Du côté algérien, la région est en voie d'être reliée au réseau routier national et bénéficie d'une activité économique en croissance du fait de la nouvelle politique algérienne d'exploitation de son grand sud. Le retard en termes d'infrastructure des deux régions et d'insertion économique est patent : pas un seul kms de routes goudronnées des deux côtés, des localités sous-équipées et dont l'intégration économique n'a véritablement commencé il y à peine 10 ans. Les coopérations économiques transfrontalières bi-nationales entre le cercle de Tessalit et la wilaya de Timyawin sont inexistantes bien qu'elles aient été l'objet d'une clause signée dans le pacte nationale

de 92 et les accords d'Alger de 2006. En 1960 la première commission transfrontalière algéro-malienne se réunit et établit les bases de la coopération transfrontalière. Le décret d'application est publié seulement …en 2007. En 2007, une nouvelle commission s'est réunit et a posé les bases de la promotion de la coopération décentralisée entre les trois wilayas du sud et les gouvernorats du Nord.

Les enjeux économiques (et politique localement) potentiellement induites par les manifestations festivalières sont nombreuses : tourisme culturel, désenclavement, promotion du territoire au niveau national, promotion des lignages dans le jeu partisan et politique local. C'est aussi un baromètre des conflits ou de l'insécurité de la région. Le Festival d'Essouk (Kidal) a été interrompu pendant 3 and du fait de la reprise de la rébellion dans le Nord. Tessalit et Timyawin ont aussi leurs festivals depuis deux ans.

La création et l'affirmation de la localité et de la périphérie saharienne passe aujourd'hui de plus en plus par l'organisation de festival culturel. Pour les festivals de l'Adagh, ils s'appuient sur la notoriété internationale du groupe Tinariwen et sur la vitalité des groupes de guitare qui foisonnent aujourd'hui, tant en ville qu'en brousse.

La fin de l'année 2008 a été importante pour le rapprochement des communes transfrontalières, berceau des Tinariwen. La dernière édition Festival du chameau de Timyawin, organisé depuis deux ans à la fin décembre, a été marqué par un concert charnière et symbolique à plusieurs titres tant pour le groupe qui en a été l'invité de marque que pour le rapprochement des communautés frontalières :

Ce concert marque en quelque sorte leur retour en Algérie et consacre l'influence culturelle déterminante de leur musique pour tout le sud algérien, apport que l'on peut constater à travers plusieurs évolutions : la retransmission d'un concert des Tinariwen à la tv nationale dans une localité perdue sur la frontière saharienne en dit long sur le chemin parcouru par les Kel Adar en Algérie. Elle en dit aussi beaucoup sur la reconnaissance de « l'histoire algérienne » du groupe. Cette reconnaissance alors que le groupe fête ses 30 and d'existence cette année, prend aussi acte de la diffusion de ce style au-delà de ces frontières ethniques. À Tamanrasset, la vogue du style *ishumar* s'étend aujourd'hui auprès de la jeunesse algérienne du Nord immigrée au Sud qui joue et chante du Tinariwen sans en comprendre le sens[18]. Il témoigne aussi de l'importance de la guitare touarègue en générale et du groupe Tinariwen comme acteur local du moteur de l'intégration des territoires frontaliers algéro-malien dans les politiques culturelles nationales. Né dans la marginalité et la relégation des citoyennetés, grandi dans une lutte armée qui a abouti à l'intégration de la dimension

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[18] A compléter.

touareg dans la nation malienne, devenue la mascotte des grands noms du rock après les années 2000, les Tinariwen, seraient-ils en passe de boucler la boucle, d'incarner la jonction nécessaire des coopérations frontalières et de servir de pont culturel entre les deux rives du Sahara ?

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African literature as a source for border studies - Hausa prose writings

There are many ways to study the idea of borders and borderlands just as there are many definitions and meanings of the border itself. It could be considered literary, as the dividing line on the map or as a place where the area of influence of one state ends and the one of another begins. But the border can also be understood more flexibly, as a area of cultural influence. Looking from this perspective, it is quite easy to notice dual role of the abovementioned line as it could be considered as kind of guarantee for preservation of cultural values against foreign influences or a place of their exchange between inhabitants of the borderlands. But state and cultural borders are usually not the same thing, especially in Africa where colonial partition has left many ethnic groups divided and then enclosed within the frontiers that do not match their historical area. For people that are partaken between new independent countries, border is a kind of dividing line not only for the states but also for the culture. It is easy to find many examples for that case in Africa and other continents where war, conflicts and foreign domination has left many people displaced or subjected to the governments that are alien or even hostile for their nationality. In Europe, such an example could be based upon the experiences of the Polish citizens left behind the country's eastern frontier after World War II. In Africa one of such cases is a situation of Hausa people divided between borders of English speaking Nigeria and French speaking Niger.

The problem of ethnic diversity accompanied by the constant and well-founded fear of "tribalism" or "ethnicism" leads to nation building efforts where the cultural values are sometimes sacrificed in order to create unity based on state's flag and national anthem. In this case the political border could be seen as a wall and after it's creation, various parts of the same ethnic group start to develop themselves separately as they are subjects of the different processes of nation building or preparation to the new social order. Just as it was after the creation of colonial states where developing of new European-like elite was very often one of the priorities of the colonial administration.

Situation like that could become a base for conflicts while the pre-colonial nations, degraded to the so called ethnic groups, want to recreate their old administrative units or create new states at the base of cultural and linguistic community. It can lead to internal or external violence since the people who feel that they are discriminated often decide to fight

for their rights and create separate state within borders of the existing country or cut the land that they are inhabiting from the territories of various states.

So the border line, could become a meeting point for the exchange of cultural achievements or the place where culture is divided as the people who are marked by it and create its values are sentenced to live separately and to develop separately as well. It can also become a backbone for conflict based not only on the demands of states with different interests, but also on the field of cultural integrity that could become the most important need for the members of the marginalized ethnic groups. All those aspects appear when we concentrate mainly around one aspect and one definition of border and consider it as a similar thing with the line that marks frontier on the political map. Increased concentration on the cultural aspects will make study more complex and more interesting.

Culture itself is a paradox, from one side it could be said that culture knows no borders, that it is able to penetrate and change societies even if the political frontiers are closed. Modern era of globalization has created more streams for such penetration and it is much more difficult to separate society from trans-cultural movements and tendencies. From the other side it is quite an easy task to define cultural borders and mark out religious, social and cultural differences in today's modern nations or the "lines" which separates the inhabitants of one region from those of the another. But even if the differences are clearly visible, the transition is happening and could range from the adaptation of the alien or foreign cultural norms to the development of fundamentalism as way of defending endangered tradition.

The cultural boundary, in comparison to the political one, is much more flexible and abstract in its nature, but it is an obvious thing that both those aspects of the idea of border are hard to separate, and that the political frontiers deeply affect the cultural ones by creating field for discussion, conflict or peaceful exchange of values. Analysis of the changes that affects borderlands and are linked with any kind transitions related with the problem of political and cultural borders require careful studies and effective methods of research. Probably, one of the most efficient is personal observation and field study. It creates possibility of participation in the processes that affect the land and the people. But some other tools could be used as a supplement, when from various reasons, personal experience of the changes that are happening in the society is not possible. In this case the study on the literature could be considered as one of such add-ons. So, in the first part of my paper I'll try to explain the role of literature as a source for the research. In the second part I'll focus on some Hausa novels taken as a representatives and by analyzing their content I'll describe their possible role in the studies of the idea of border lines.

Why the literature?

Literature is a product of culture. It is an obvious fact that doesn't need any further translations. But being a product, can literature become a basis for the analysis of the "producer"? Apart of being created by culture, or to be more precise, by people that are bred and raised in her shadow, literature is a looking-glass that reflects changes that are happening in social and cultural substrate. It mirrors, sometimes in a wry manner, foreign influences and shows historical or political events that are weaved in the plot. Literature itself has a variety of forms, some are more useful for the research and some are less, but it still depends from the area of interest of the particular scholar. The fiction, which could be fully a product of the imagination of the author could also become useful even if action is not situated in the known reality or time just like in Sci-Fi or Fantasy. Abruption from the reality still keeps the author in the net of cultural and global influences, so it still shows world tendencies and processes that are affecting the culture or, as an opposite, reveals author's struggle to remain creative and free from foreign interferences or his fanatic defense of cultural values. Of course all the points between "copy" and "forced creationism" are possible. Even a choice of writing a novel of the particular genre and its main subject is an important signal and can tell something about the processes that are happening in the society and also reveal the elements possibly taken from outside.

The other thing that is important is a historical and sometimes also a political context of the plot. It is needless to say that even a so called fiction which is situated in a particular period of time, that concerns historical events and describes real people's actions and relations with the other, is a useful source not only for the people that are studying the writings but also for historians, ethnologists and other scholars. Especially when this "product of culture" is the only available basis to establish fundament for the research and study a topic, or just one of few that are coming from the cultural interior. Such a situation could be seen in the case of various European chronicles or Scandinavian sagas, when sources from outside are used to prove the facts included in the plot, but the "novel" itself remains the main basis for the research. That is possible because the authors have witnessed events described in the book, had a contact with first-hand resource persons or have had an access to the sources that are no longer available. This perspective situates literature among the most important sources for study events that could not be experienced in a different way. Of course not every written text should be considered as a literature and this term could be widen also for oral stories. But it is also a question about borders. Isn't it?

Statement that the literature could be a useful source for historical research and for observation of the changes, that are happening in the society is one thing. The other is its usefulness in the study of Africa, while this continent is too often described as a place without the tradition of writing. In this case the echoes of oral stories could take a place of the written text with their function of describing historical events, famous heroes and rulers. In many cases, informations that have been passed from generations in African societies have their reflection in sources created by the visitors from another countries, where the tradition of writing has a rich history[1].

To say more, the arrival and later spread of the Muslim religion in the Sub-Saharan part of the African continent become a great inspiration for the creation of texts written in Arabic but also in African languages with the use of the alphabet that was carried and then transferred by the caravans along with merchandise and religious preaching[2]. This was a first huge wave of acquisition of the tradition of writing and has lead to the creation of many manuscripts as the result of fast development of the Islamic education and establishment of the famous centers of knowledge as Timbuktu for example. Apart of development of so called new model of communication, the arrival of Islam has forced traditional African culture to face with another, well developed one. This could be considered as an early clash of the civilizations. The result of such meeting was not a conflict, but in many cases, this situation was a stimulant to dialogue and "cultures" instead of clinching each other in the fight for domination, has started to cross the borders and mix together. This, in many cases peaceful transition, has shown predominant role of the Islamic culture but also revealed a strength that was needed to hold down African identity. Of course those processes had happened differently in different societies and sometimes it is hard to effectively separate African substrate from the foreign influence, especially in the field of religion, like in Hausa society, where the islamization around 14th century and a holy war from the 19th century resulted with the acquisition of a new religion and lead to almost complete eradication of the traditional beliefs[3].

Another great wave of influence on the African literature took place after establishment of the European rule over the Continent. Similar as in a case of Arabic language, the languages spoken by colonial masters deeply marked every-day reality of the indigenes. Creation of the new administration, organized in the European way and governed with the use of European

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[1] Here, the Works of the famous travelers could be taken as an example. Their documents range from early Arab explorers, geographers and scholars like Ibn Batuta or Muhammad b. 'Abd al-Karim al-Maghili to the journals of the European travelers, soldiers and merchants from 19th and 20th century.

[2] M.Hiskett, The Development of Islam in West Africa, Longman, London 1984.

[3] J.Hunwick, *West Africa, Islam and the Arab World,* Markus Wiener Publishers, Princeton 2006, p. 87

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languages, left those from the locals that were "success oriented" without a choice and forced them to adopt not only the language, but also European way of life with all the educational and many cultural aspects. This was, and still is another case of transition between cultural borders and the process led to various reactions. Contrary to the Arabian influences, those from the "Western hemisphere" were accompanied by the conquest so it could be obvious that their stimulate more resistance among those who were forcibly subdued.

Looking from the other side, history shows that sometimes the conqueror who is strong enough to defeat traditional rulers earns a respect of the people because a success is a prove of his power, prosperity and god's favor. The result could be visible in growing acceptance and acquisition of the cultural differences – religion, mode of behavior, education and language.

Thing that is worth mentioning is that under the European rule, some African languages have been developing boost as the platforms of inter ethnic communication. Standardization of writing and translation of the main achievements of the European text writing into the African languages, have stimulated indigenous literature written in foreign language or with the use of Latin alphabet. That was the opening of the door which led to further translation of African novels, drama and poetry into European languages. It is kind of cultural circle that has closed itself. So, the authors from the continent without writing tradition, now gain international recognition, just as Nigerian Nobel Prize winner Wole Soyinka and his fair-skinned colleagues from South Africa, Nadine Gordimer and John M. Coetze and the others like Chinua Achebe, James Ngugi who later changed his name to Ngugi wa Thiong'o, Moses Isegawa or even retired model Waris Dirie, whose novels become bestsellers and were translated into many languages including Polish. Important role and growing interest in African literature could be seen not only in the account reports, but also in a number of awards and honorary titles that have been given over the ages to the novelists from this Continent. Having in mind the evolution of the African literature that is written in local or European languages, it would be hard to underestimate its importance for the issue of border studies.

Literature, as one of the most important and complex of all cultural products reflects changes that are happening in social order, religion and linguistics and above all, it tells stories. Tales about people, their actions and feelings. Storyline is usually situated in a cultural reality and historical background. That means that depending on the scholars interest, every literature, also the African one is valuable material for studying history and the processes that are happening in the society. When we focus on the abovementioned aspects of the idea of border we'll see that literature could match both of them by describing the role of the

borderlines and events that have been happening there. It reveals the changes in the cultural substrate, manifested also in a choice of subject, genre or authors approach to the presented facts and his thoughts included in the text. So, the literatures role as the additional source for border studies is quite obvious.

Why Hausa?

Hausa is one of three most important languages spoken in modern day Nigeria. If we believe estimations, it is spoken by around 50 million people all over the world, either as a first or as a second language[4], with the rich history of writing both in Arabic and European alphabet. Nigeria, where most of the speakers live, with its 150 million inhabitants, is the most populous of all African countries. This state, with its borders created after British conquest of the land that belongs to many pre-colonial kingdoms is a multi-ethnic and multi-lingual country with three most important forces represented by Hausa in the north, Igbo in the south and Yoruba in the west. The modern day political position of the Northerners cold be dated from the colonial era, when the people from this part of the country become a support for the European administration and also police and military forces were recruited among Hausa. The favor from the colonial times resulted in political domination after the independence and later becomes a reason for various coup d'états and inter ethnic tensions. Dissatisfaction of the marginalized ethnic groups was the backbone for the most tragic inter-state conflict in Nigerian history – the Biafran war[5], and is still behind the unrest in the Niger Delta. Also Igbo people that are mostly not engaged in this modern war on oil, often declare support for the secessionist ideas and a war on bigger scale is still a threat for Nigerian unity. Apart of inter ethnic tensions, growing fundamentalism in the Muslim North boosts the ideas of the creation of the Sharia State on the land of former emirates of the Sokoto Caliphate. The results are the riots and aggression aimed on non-muslim and foreigners, and other tensions that are calculated to strength the fundamentalist and gain them international recognition and support.[6] Activity of the *Boko Haram*[7] sect in a last few weeks, shows that even if the radicals do not have a support of all *umma* and even *malamai* - the preachers and scholars are against their ideas, they are strong enough to start riots that result in over hundreds of casualties and few days of fighting. Investigation that is still in progress reveals that the financial condition

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[4] N. Pawlak, *Język Hausa*, Dialog, Warszawa 1998, p.6.
[5] Chronological description of the events related to this conflict could be found in: I. Tanu Ejenavwo, *Military Rule in Nigeria 1966-1999. A Chronicle of Major Events,* Risafu & Company, Kaduna 2007, pp.19-26.
[6] M. Meunier, "Yar'Adua entre deux feux", *Jeune Afrique,* no. 2535, 9-15 August 2009, pp. 34,35.
[7] It could be translated as „Western Education is Unlawful"

of the group was surprisingly good as for the organization leaded by relatively young people, and a lot of money was accumulated on the account of its deceased leader. It has fueled the rumors, that there are some people in the administration that have their personal interests in weakening of state and reinforce the fundamentalists[8]. If the predictions are true, further riots are just a matter of time.

Nigeria is the country when border lines exist at the various levels of the statehood. Just like in many former colonies which territories do not match those of the political and cultural influence of the indigenes, frontiers could be drawn not only around, but also through the countries territory. So, Nigeria is an interesting field for the research for many aspects of the idea of borders. Partitioned ethnicies could be represented by the abovementioned example of Hausa divided between Nigeria and Niger. Intra-state borders are visible in the struggle of the various, not only three most populous groups. This is a war for domination in the country's politics, participation in the natural resources or simply for the recognition and right to cultivate their culture. Also other possible aspects are present, like the trans-border movement of the people which could be seen in migrations (both willing and unwilling). Nigeria is ranked top from all the African countries as source country for global human trafficking.

Country with such an interesting history and complex social and cultural background is for sure a good field for research on the subject that has gathered all of us here. It is still like that at the field of the literature. Nigeria is the country that have gave birth to the African Shakespeare – Wole Soyinka and also many other famous writers were born and risen here. Chinua Achebe, Cyprian Ekwensi, Amos Tutuola to point just few of them. The growing expansion of the westernized cultural achievements, seen not only on the example of the literature but also in music and most likely film industry, causes that important historical and social events are commented broadly by various authors. Of course if a scholar would be assiduous enough to pass hundreds of works that are oriented on the entertainment only.

Choice of the Hausa literature for the source should not be of any surprise. Focusing at the importance and numerosity of this ethnic group, early islamization, established trade and cultural contacts with the Arab world and later conquest and colonization by the Europeans, will lead to the conclusion that among other sources, also literature can provide some interesting informations. Especially if it concerns the era before, or shortly after the arrival of the Europeans, when the westernized culture has met with the Islamized, African one. The

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[8] Personal communication

purpose of this paper is to present some of the novels that concern this period of time, and to show their suitability for border studies.

Those would be *Shaihu Umar*, written by Abubakar Tafawa Balewa, *Abdulbaki Tanimuddarin Tureta* an autobiography of the Muslim ruler and *Gandoki*, written by Alhaji Muhammadu Bello Kagara. The biographical character of the selected novels had been a conscious choice. As was said before, every genre of the literature could reveal many interesting facts about society and people, but the biographies and chronicles are the most useful for studying history and inter-cultural or international relations. Another interesting thing about those novels is that they were written by an inspiration or with the help of European researchers. Created in Hausa with the use of European alphabet (*boko*) they themselves are the symbols of cultural transition. Apart of that, their role as the sources for academic research is unquestionable.

Shaihu Umar

Shaihu Umar[9] is one of the most famous Hausa novels. It attracts attention not only because of the undisputed literary value but also because of the tragic history of its author. The book was written by Abubakar Tafawa Balewa long before he sails to the wild ocean of the African politics and become a Prime Minister of the independent Nigeria in years 1960-1966. That was the honor for which he has paid with his life since he was among the victims of the coup of 14th January 1966[10]. His assassination could also testify for our study since it shows intra-state conflicts around pre-colonial borderlines and the areas of influence of ethnic groups, the so called "borders within borders".

But more than thirty years before those tragic events happen, he has signed himself for the literature contest announced by Literature Bureau (*Hukumar Talifi*) in Zaria. It was in the year 1933 when his book was published among the winners of the competition. It is possible, that the success of Tafawa Balewa's novel was linked with the construction of the book and the storyline itself. The Bureau was established by the colonial administration, and one of the purposes of the abovementioned contest was to inspire young Hausa novelists to create indigenous but at the same time European-like literature. *Shaihu Umar* with its adventurous character likely fits this standards and is almost free from fantastic elements so common in African fairy tales, heroic eposes and traditional stories about life of the holy men. Apart of

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[9] Alhaji Sir A. Tafawa Balewa, *Shaihu Umar*, NNPC Zaria, 1991.
[10] I. Tanu Ejenavwo, *op. cit*., p.14.

that, the plot and the construction of the novel reveals great writing abilities of the 21 year old author, not so usual for a person of such a young age.

The book has been reprinted many times and, although it was first published in the 30's it is still possible to buy recent edition. The book was so popular, that it was even converted into drama and then adopted for the cinema. The play was created by Umaru Ladan and Dexter Lyndersay and performed for the first time in Kaduna, on the 1st December 1972 at the presence of general Yakubu Gowon, former Nigerian head of state[11]. The movie directed by Alhaji Adamu Halilu was turned few years later[12].

The popularity of this novel reached beyond the borders of Nigeria and English translation was prepared by Mervin Hiskett and published in 1967. This English version also had a good reception and was published again in 1987 along with the introduction of Beverly Mack[13]. Apart of the literary workshop of both the author and the translator, the novel attracts attention of the audience because of the subject chosen and the time of action since all the events described in the book are happening before European arrival.

Shaihu Umar is a fictional biography of Hausa scholar (*malam*) named Umar who, asked by one of his students, decides to recount his adventurous life. He was born in Kagara in a family of a hard working common man[14]. Umar was a posthumous. Born after the death of his father he lives with grandmother. Events of life moved young boy from the modest household he inhabits into the world of court intrigues after second marriage of his mother, and the death of his caretaker. His mother (who despite of being one of the main characters of the book was not even named by the author), marries Makau, one of the trustful servants of the chief of Kagara. The groom is a man of virtue who becomes a victim of the plot hatched by other courtiers. The opportunity to diminish chiefs favor towards Makau arises at the occasion of slave raid ordered by the ruler. After successful hunting, few warriors accuse Makau for hiding some of the booty. It was said before, that the chief, who does not participate in raid, has a right to acquire two from every three slaves captured. The accusations were of course untrue, but Makau as a good Muslim accepts the decision of his sovereign and agrees to leave the city. So, Makau moves to the area of modern day Zaria State and after many adventures and avoiding many dangers he arrives to Makarfi and decides to build his settlement there.

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[11] U.Ladan, D. Lyndersay, *Shaihu Umar. Na marigayi Alhaji Abubakar Tafawa Balewa,* NNPC, Zaria. The play also was translated into English and published in London.; U. Ladan, D. Lyndersay.. *Shaihu Umar. A play adapted from the novel by Sir Abubakar Tafawa Balewa*, Longman, London 1975.

[12] S. Piłaszewicz. 1988. *Historia literatur afrykańskich w językach rodzimych. Literatura Hausa*. Warszawa, p. 160.

[13] A. Tafawa Balewa, *Shaihu Umar. Novel About Slavery In Africa.* Markus Wiener Publishers, Princeton 1987

[14] That means as a member of a social group called *talakawa* – common people or subjects (poddani)

This is just a beginning of a story. In a meantime, Umar's grandfather who lives in Fatika was accused for practicing magic and the boy's mother decides to go to the village where she was born and give support to her family. She was making plans for the journey when the messenger of Makau arrives to Kagara with the information about the whereabouts of the banished courtier. However, she decides to take journey to her homeland and later join Makau in Makarfi. As story reveals, it is one of the worst decisions in her life. Umar was around four years old and he was too young for a travel to Fatika, so he stays under the care of Amina, his mother's closest friend. There, one day he was kidnapped.

This turn of events is the beginning of the most dynamic part of the novel. The kidnapper who later turns to be some kind of a sorcerer armed with powerful charms, is killed by hyena during his and Umar journey to unknown destination. The boy was then found and adopted by a farmer and his childless wife. Soon afterwards, new family of our protagonist is attacked by slave raiders and young Umar is once again kidnapped, this time by a man called Gumuzu, court slave and slave trader from Kano.[15] One of his friends and commercial partners was called Abdulkarim - he was an Arab merchant who makes business in Kano.[16] At this time he was present in the city and after meeting Umar, impressed by his intellectual potential and kindness, decides to take him and adopt as his foster son. All is agreed and Umar begins his new life as in a family of wealthy merchant. They travel to his country where young Hausa boy receives his Koranic education and becomes a scholar.

In a meantime, his mother was trying to find him. She cannot calm herself in Makau's house, so she gathers some money and decides to go and look for her lost son. She is tracing the trails of her offspring until, by deception she herself becomes a slave. Deceived by caravan leader in Kano and then by *alkali* (Muslim judge) in Murzuk she is forced to go to Tripoli and remain there as a slave of prosperous trader named Ahmad. This is a place, where, by accident she finally meets her long lost child, but the grief and weariness does not allow her to fully enjoy this moment. Relased from slavery, she dies during journey to Hausaland with Umar, his stepfather and their caravan. They are pursuing their journey but bad luck is upon them. They are ambushed by a sandstorm and Umar is a sole survivor. He then goes to Rauta as a wandering scholar and later, decides to settle there. He becomes famous and earns respect of the people.

This story, full of events and action turn-outs, was packed into the 49 paged book. It was shortly recounted here in order to show this novel as an example for our research. The thing

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[15] Alhaji Sir A. Tafawa Balewa, *op. cit*, p. 24.
[16] Ibid, p. 29.

that could be seen instantly is the problem of slavery, but not only house slavery but also slave trade, it's routes and organization. Those topics are described here so well that the American publisher has been advertising this book simply as a novel about slavery in Africa, and this information has been included on the cover. It is described also as a "Nigerian Bestseller" which proofs for the popularity of this book in this African country.

One could diminish the quality of this source by telling that this is a product of imagination and that it is not a biography, so it should not be considered as a historical source of any kind, but this could be true only partly. Abubakar Tafawa Balewa, the author of the novel, was born in 1912 it was after the arrival of the Europeans and the beginning of new political order, but the people who remember the "old times" were still alive and were able to provide the first hand informations about commercial contacts from pre-colonial era. To say more, Abubakar Tafawa Balewa himself was a descendant of slaves, since his father was a court slave in Bauchi, so the reality of slavery and the organization of the pre-colonial society were common for further Nigerian Prime Minister. To say more, some of the events described in the book, like a kidnapping of young Umar, were still possible even at the time of the publication of the novel. In 1936, the kidnapping and then trade in children has been still considered as a great problem for the British administration[17]. So, the statement that *Shaihu Umar* is a useful source for studying slavery in pre-colonial Northern Nigeria should not be questioned, but what about border studies?

Looking from this perspective, the novel written by former Nigerian Prime Minister could also be considered as useful. It describes social stratification and the relations between members of the particular groups, especially common people, courtiers and the nobles. It shows also some flexibility in crossing "social borders" understood in the European way. It is seen in the case of Gumuzu, who, despite being slave of the ruler of Kano, is also a merchant and a warrior. Other situation is more evident since behind the conspiracy against Makau, are royal slaves supported by some jealous courtiers. One of the main opponents of Makau is Sarkin Zagi.[18] That was a title reserved for the slave official and one of the military leaders on the Hausa-Fulani court.[19] In the staged version of the novel, Sarkin Zagi is accompanied by Shantali. Holder of the latter title, usually an eunuch, was the highest in charge of the slave

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[17] A. E. Afigbo., "Britain and the Hydra in the Bight of Benin. Towards a History of the Abolition of the Internal Slave Trade in the Oil Rivers and its Hinterland, c. 1885 – c. 1943", *African Economic History*, vol. 31, 2003, p.14 n

[18] Alhaji Sir A. Tafawa Balewa, *op. cit.*, p. 7

[19] M.G. Smith, *The Affairs of Daura,* California 1978, p. 275

soldiers and was a member of the chief's council.[20] Social frontiers are also visible in the relations of Gumuzu and his copartner Abdulkarim. Arab merchant is highly esteemed by his Hausa associate just like if he is of higher position. It could be explained in two ways. Fist, it is possible that Abdulkarim is a chairman in more or less modern-day understanding of this word. That means that he has his representatives in the cities where he makes his business. He is prosperous as the successful journeys through Sahara could bring a lot of profit for traders that were able to risk the dangerous journey from Maghreb to Sudanic Africa. Second explanation would be more simpler and can show relations between Hausa and Arab Muslims. Islam has been brought to this part of Africa in as early as in the 11th-12th century[21] and those who remain as the representatives and the ambassadors of the Muslim culture and education were Arabs. So, although Islam has came to Hausaland from Bornu and through Wangara people the Arabs, like Egyptian Abdulkareem were highly respected in Hausa society.

Apart of the cultural informations, the most important aspects of the usefulness of this novel for border studies is the political and geographical character of the frontiers, their association with the cultural ones and relations between ethnic groups. It is seen mainly in the travels of the main characters.

The slave raid ordered by the chief of Kagara brings a reader to Gwari, country that lies south of the city and is inhabited by pagans. This is an opportunity for the author to describe not only the organization of the slave raid, but also situation of the pagan farmers whose land is not fertile enough to give them crops for a whole year. Forced to cultivate the fields that are lying far from their settlements they risk being catched by manhunters[22].

More opportunities to concentrate on the study of borderlines arises when we look at the travels of the main protagonists. Makau, Umar and Umar's mother. First, Makau is banished from Kagara and brought by abovementioned court servants near the road that leads to Zaria. On his journey to the capital of this state, he also meets some pagans but avoids danger and reaches Zaria and then Makarfi, a town that lies northeast of the state capital. The journey he takes is nothing comparing to those of his wife and her son. Umar, after many adventures reaches Ber Kufa in Egypt and then, many years later, on his travel back to Hausa States along with Abdulkarim, he visits Alexandria when they take a ship to Tripoli. His mother also reaches the land of the modern day Libya, first by arriving to Murzuk and then to Tripoli with

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[20] *Ibid.*, p.140.
[21] Islam was firmly established In Kano during the rule of Muhammadu Rumfa (1463-1499).
[22] Alhaji Sir A. Tafawa Balewa, *op. cit.*, p.4

her owner Ahmad. Both Umar and his mother start their journey though Sahara from Kano and that clearly points at this city as a main commercial centre in Hausaland.

Those journeys are a great occasion for the author to describe some of the cities, and even hid his own feelings behind the words of the persons from the novel. Just like in the moment when Umar and Abdulkarim, after leaving Kano, reach an oasis inhabited by Buzu.[23] Apart of description of their habits and fashion customs, we can find some remarks on their language in which "every conversation (…) sounds like an argue".[24] The descriptions of places are useful, but they probably concern not the times when the novel is suppose to happen, but the times that are contemporary for the author, or are based only on the informations taken from the persons that actually seen or participate in some of the events. Such a statement could be drawn from author's choice of the places that are worth describing. Although the image of Kano, Zaria and other Hausa cities is painted quite well, the descriptions of Alexandria and Tripoli are far from being sufficient, But apart of that, the information included in the book can give some recognition about cultural differences and relations between people from two sides of state or cultural frontier.

Another good thing for our study is the description of Trans-Saharan trade and its dependence from the political and social situation in the Sudan. Here, we can find some data about the organization of expedition and the most popular trade routes. Since 15th century, when the first inter-regional market was opened in Kano,[25] this and other Hausa cities started to grown in their importance as the canters of commerce. In 1591, Moroccan soldiers conquered Timbuktu and trans-Saharan routes slowly moved east towards Hausa states. In the 17th century cities like Daura and Katsina were linked directly with the trading route from Tripoli. The development of this region of Western Sudan, along with the appearance of central government created with the establishment of Sokoto Caliphate,[26] made its impact on the growing importance of the Hausa cities. In the 19th century, the route leading from the north through Ghadames, Air and than to Kano was one of the most popular and profitable of all trans-Saharan trails.[27] But this was not the only road, Abdulkarim as it could be seen in the novel prefer the other, the trail that could be called the "pilgrim's way" since it goes eastwards from Hausa States through the land of Kanem-Bornu, Zaghawa then Sudan to Egypt.

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[23] Slaves of the Tuaregs.
[24] Alhaji Sir A. Tafawa Balewa, *op. cit.*, p.34
[25] S. Piłaszewicz. *Egzotyczny świat sawanny. Kultura i cywilizacja ludu Hausa*. Warszawa 1995, p.79.
[26] As the result of holy war inspired by Shaih Usman dan Fodio (1804 -1808).
[27] A. Audu Boahen.. *Britain, the Sahara and the Western Sudan 1788-1861*. Oxford 1964, p.108.

This preference is shown along with the information about the influence that a time of political instability has over the commerce. War could be a good time for business but it depends on the commodities that are sold, and even in this case, it is not a good time for everyone. This concerns Abdulkarim, who, because of Umar's needs to reach Hausa States is planning another journey to the south. As was said before, they have chosen the road from Tripoli and went through Murzuk, probably Bilma and Kano. This choice was forced on Abdulkarim by political instability in Sudan caused by Mahdist uprising at the end of the 19th century (1881-1899). The revolt of Muhammad Ahmad resulted in war that makes trade road dangerous or even closed.[28] This information and linkage of Mahdist war with the commercial destabilization of the region is quite obvious, more interesting information appear when Umar, as a lone survivor of the caravan scattered by the sandstorm reaches a town that lies on the African bank of the desert. There, in an area inhabited by Hausa speaking persons he observes the siege of the city. By asking fellow travelers he discovers the presence of the soldiers that once pledged their oath to Rabih[29]. This information suggests that after his fall as a ruler of Kanem-Borno and his death in 1900[30], some of the remains of his army moved westwards towards Hausa States to search for their luck.

All the information presented above have been set in order in purpose of showing some aspects of border studies that could be found in this particular novel. We have inter-state travels, commerce, religious diversity and inter-ethnic relations. At the end we have some remarks about political situation and unrest in Sudan, the Eastern African State and the "Land of the Black"[31]. The book is short so the information could be considered as the draft (szkic) that motivates reader to further study of the topic. As was said at the beginning of the paper, literature can be useful as an additional source which should be compared with the historical ones if possible. *Shaihu Umar* was taken as an example but it is not an only Hausa novel that could be used for our research.

Abdulbaki Tanimuddarin Tureta. Daga bakinsa shi kansa

Abdulbaki Tanimuddarin Tureta. By His Own Mouth, About Himself[32] is another biography, this time the real story written at the end of his life by Abdulbaki, ruler of Tureta. City that lies 43 miles south of the Sokoto. He was born in 1879 in a noble family, one day

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[28] Alhaji Sir A. Tafawa Balewa, *op. cit*., p. 42

[29] *ibid*, p. 49.

[30] At the battle against the French near Kousseri In 22th April 1900.

[31] Arabic *Bilad As-Sudan*

[32] A. Tanimuddarin Tureta, *Abdulbaki Tanimuddarin Tureta. Daga bakinsa shi kansa* , NORLA, Zaria 1933, v.1,2.

while he was still a child, it was foretold that he would become a ruler of Tureta. It should not be surprising because his father, Dangaladima[33] Almustafa is a ruler himself. However, this prediction is one of the most important elements that moves forward the plot of the novel. The words about the future of young Abdulbaki reach the ears of his uncle Maigunya, who dreams to become a ruler and starts to think about possibilities of taking a place of his young nephew. Such opportunity arises shortly afterwards. Rulers from the surrounding countries decide to join forces and pillage this city. Among the aggressors were the soldiers from Zamfara, Gobir, Katsina and Maradi.[34] After few unsuccessful attempts to break behind the walls, ruler of Maradi called Mijinyawa[35] has an idea to take the city by insidiously. He and his soldiers pretend friendship towards citizens of Tureta (called Burmi probably because of their Kanuri origin) just to betray them after few days of feasting and start fight inside the walls of the city. During this chaotic fighting Abdulbaki is kidnapped[36].

He is taken to Cikaji, the settlement that lies in modern day Niger and is described in a novel as a town "in a French country". He stays for two years there when the information about his whereabouts reaches his family. His father at once decides to buy him out from slavery, but the people he send to fulfill this task doesn't have sufficient founds to do this. They agree to bring the remaining part of the money to the Abdulbaki's master Dantata, but before they menage to bring the money, Maigunya arrives to Cikaji and convicts Dantata to deceive the messengers of the ruler of Tureta. He asks him to tell that Abdulbaki has died and was buried nearby. False grave works very well and the people from Tureta believe those from Cikaji even without seeing a body of the chief's son. Few days later, Dantata sells him to the Tuaregs from Air, who took young Abdulbaki far into the land of Niger. It is not said here whatever he is sold again, but he ends as a slave of a man named Bubakar who lives in Dadin Kowa, the place which name could be translated as "Everyone's Happiness". In a meantime, Abdulbaki's father is trying to find him but without any success, so the boy stays in Dadin Kowa for long 26 years.

While being a slave of Bubakar he becomes a subject for the test, that Tuaregs perform for their slaves. The trial has to eventually reveal slave's fortune and economic potential. So, Abdulbaki receives a sheep from his master and it is said that that animal becomes his property. The sheep turns to be pregnant and Abdulbaki, who then reveals to be a good

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[33] This name that could be translated as „Galadima's son" suggests that he was a child of a court official. *Galadima* was one of the most important titles.
[34] A. Tanimuddarin Tureta, *op. cit.*,v.1, p.6
[35] The name Mijinyawa, could be translated as "Many Men".
[36] A. Tanimuddarin Tureta, *op.cit.*, v.1, p.6

herdsman, after some time becomes an owner of the numerous herd of sheeps, camels and donkeys. His wealth becomes a subject of envy of his master who offers him freedom but the price is the animals. This is a hard decision to take, and finally our hero is forced to retreat from the household of Bubakar. Without stock and without freedom. Because of fear of his master's revenge, and in order to get back his herd, Abdulbaki decides to follow his friend's advice and complain to the authorities.

He, along with his friend - Tanko, travels to Tasawa to tell local ruler about the injustice that has happened to him[37]. His complain goes to local ruler and finally reaches European ears of local commandant who orders one of his men to help Abdulbaki in getting back what he owns[38]. They are succeed and our hero can now go back to his homeland, the problem is that he doesn't know how to find the land of Hausa, not to say a word about Tureta.

He was taken away from his home when he was 7 years old and than taken too far from the land where he was born.

However, he decides to join the group of Udu that are heading south and gather informations that he needs during the journey. They are traveling together until they reach Fara where Abdulbaki tries to part with his companions. Just like Bubakar back in Niger, they also want to grab the animals that were breed by the lost son of the ruler of Tureta. After a moment of tension the situation is clear and Abdulbaki walks away with his animals. Now he knows where to go since the conversations with encountered farmers reveal him the location of the city that he is looking for.

So, he finally arrives to Tureta, when he discovers that his father has died few years earlier and even his uncle is no longer a ruler because he was dethroned by the people. To say more, no one recognizes the one who, by the help of god, manages to come back. No one knows that he is a son of the deceased ruler. The situation changes when Abdulbaki's mother, enticed by the rumors about the big herd that is passing through the city, comes to take a look at the animals. She than recognizes her long lost son who later, just as predictions told, becomes a ruler of Tureta. But it still needs a lot of patience and humbleness from Abdulbaki and finally, in a year 1933 he is called to Sokoto and receives his title along with the turban. He than rules as the fifteenth Sarkin Tureta.[39]

The book written by Abdulbaki Tureta is in many ways similar to the novel that was first analyzed here – *Shaihu Umar,* and the questions about borderlines could be concentrated on

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[37] A. Tanimuddarin Tureta, *op.cit.,* v.2, p.5.
[38] *ibid*, p.6
[39] A. Tanimuddarin Tureta, *op.cit., v*.1, p. 4.

the frontiers of the intellectual property and copyrights of the author of the first book. But, we have to remember that *Abdulbaki Tanimuddarin Tureta…* is an autobiography, so the similarities of the histories of Abdulbaki and Umar could testify only for the statement that the pre colonial Hausaland was a dangerous place for a child and that the fights between rival states and slavery were a part of everyday reality.

The novel, as it is common for an African ones, is relatively short, but looking at its content we would find some interesting information. First, is the genealogy of the rulers of Tureta that is included at the beginning of the book. Apart of the names of the subsequent emirs, there also the places where the rulers of Burmi resided are mentioned.[40] It is possible than, to trace the route of their migration from the east to the areas they are inhabiting at the time of the publication of the novel.

Another interesting information we would find in the description of the siege of Tureta and in a list of the participants of the assault. We can see that the forces from various areas of modern-day Hausaland participated in the attack, and a special focus should be putted on those from Maradi. First, the king of this town is an author of the idea that gives the besiegers success in battle, second, more important thing, is the participation of a soldiers from modern day Niger in the war that has been happening at the area of modern day Nigeria. That illustrates contemporary situation of many African ethnic groups that once consist one nation or benefit from short or long term alliances and than become divided between territory of the colonies created by the Europeans. Those are the "divided ethnicies".

More informations could be drawn from travels of Abdulbaki and the members of his family, but, although the names of the towns and villages are mentioned with almost chronicle-like precision, the settlements themselves are not described at all. Even the relations of the slave from Hausaland with his Tuareg master are not exploited sufficiently, but still we would be able to find one, maybe most interesting topic.

When the conflict between Bubakar and Abdulbaki arises and the latter is stripped from his wealth, the case needs European intervention. Here we can see a situation of the tension at the cultural border. Bubakar represents old point of view, he is governing his house at the basis of pre-colonial relations between slave and master, at the opposition, we have French colonial officer and a local policeman. Especially the attitude of the latter one is interesting. He is the one who, although being indigene supports the changes that have been implemented by outsiders. His aggressive attitude towards slavery and slave holders shows that in his mind,

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[40] A. Tanimuddarin Tureta, *op.cit.*, v.1, pp.1-5.

the cultural border have been crossed, and the norms from another culture took a place of those from the traditional one. Of course that concerns the question of slavery.

As we can see, both presented novels describes mainly the affairs and adventures of the members of the local community. *Shaihu Umar* is a novel about slavery but also about Muslim virtues and the power of God. The Europeans are hardly mentioned and don't have any influence on the plot. The difference is slight but easy to notice in the second biography, where the European helps our protagonist. It is much different in the last novel that will be recounted here – *Gandoki.*

Gandoki

Novel *Gandoki*[41] written by Alhaji Muhammadu Bello Kagara, is another laureate of the contest that results in the publication of Tafawa Balewa's *Shaihu Umar*. It is, once again a tale of the adventurous life of the main protagonist, and the book, just like the two presented above is named upon him. Gandoki is a famous warrior who, at his old age, has settled in Katsina. Here, asked by one of the children that lives in his household, he decides to tell the story of his life. He has a lot to tell, mainly because Bello Kagara has opened the borders of his imagination and added a lot of fantastic events into his book.

The story of Gandoki is a story of a warrior, powerful and brave man who has fought in almost every battle since Usman's Dan Fodio jihad until the arrival of the Europeans. He fights even with the ghosts and jinnis in a spiritual world that he visits along with his son Garba Gagare. But the main content of this book, especially from the perspective of our deliberations, lies in Gandoki's attitude towards Europeans.

At the beginning, Gandoki is a heathen enemy of the agressors. He fights against British as one of the defendants of Bida the city that was assaulted in 1897 and Kontagora the one that falls in 1901.[42] But, apart of fighting with the sword in his hand he has his own methods. After the failure of the defense of Bida, he pretends his friendship towards Europeans, only to get close to them and their supporters from the local community. Then, he cuts off the head of the local judge in Wushishi, who he accuses for the collaboration with the Europeans. After this patriotic homicide Gandoki, leaves the area that is endangered by the European invasion and along with the other refugees arrives to Kwantagora. It is a year 1901 and British colonial forces are approaching the walls of the city defended by famous "Sarkin Sudan"[43] Ibrahim

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[41] Alhaji M. Bello, *Gandoki,* NNPC, Zaria 1978.
[42] *ibid.*, p.1.
[43] „King of Sudan"

Nagwamatse. Despite heroic efforts of the defendants also Kwantagora had to surrender to the forces that bring new order to Africa. Gandoki along with many other warriors escapes from town. Then, full of unease he decides to go to Sokoto to pray on the tomb of Shaikh Usman Dan Fodio, but the message about the taking of the Caliphate's capital by the British stops his journey. His new goal become to find and join Caliph Attahiru Ahmadu I[44], the leader of the faithful and go with him for his hajj. This plan could not be realized neither, the column of the refugees is ambushed and then scattered by the Europeans. After the battle that takes place near Dutsen Bima, Gandoki and his son, tired fell asleep in the bush. They'll awake in a different world - magical land somewhere in India. Here, the quasi historical novel leaves its place for a fable.

Despite being in an uncommon place and even surrounded by ghosts and daemons, Gandoki still remains the same person as on the earth. He is a good and devoted Muslim with strong arm and a lot of bravery in his heart. So, he fights also in this world but he always remembers about his obligations towards faith and islamization of the encountered persons and jinnis is one of his priorities. After many adventures he decides to go back to earth, leaving the spiritual world full of his ex-wives since he has married many princesses at the countries that he has visited.

The return of Gandoki and his son to the land of the mortals has its purpose – he wants to start an uprising against the European rule over the area of the Sokoto Caliphate.[45] To his surprise, he meets only happy people there and no one wants to fight with the British. Peace finally arrives to this land. Seeing that, great warrior rethinks all his actions, he now realizes that the fight against Europeans was a mistake. So, he decides to hang his weary sword on the wall, to settle down and spend the rest of his life on meditations and studies.

Reading of *Gandoki*, a novel that proudly represents the genre of heroic-fantasy in an early Hausa literature, can also give us some interesting data. First, it is a quality of the description of a famous battles like a besiege of Kontagora. They could be based at the personal experiences of an author who was born in 1890, or the members of his family. To say more, just like in the case of *Shaihu Umar* at the time of the first publication of this book in 1934 some of witnesses and veterans of the fighting were surely alive.

Another, most important thing is the attitude and the behavior of Gandoki towards Europeans and their supporters. It visualizes the conflict that arises around political borders but touches also the cultural ones. Gandoki is a type of patriot, but also a man that simply

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[44] Who had been killed on his journey. He died in a battle for Burmi in 1903.
[45] Alhaji M. Bello, *op.cit.*, p. 45.

likes the adrenaline rush and the chaos of battle. He'll be fighting for his country until the end and even after the end, as he plans to incite a revolt against European rule. Surprisingly, after coming back from his miraculous journey, he completely changes his attitude, approves conquest of his land and even admires changes that happen in society and opportunities that arises for the young people. Sending of his son to school in Katsina is the sign of this approval of a new order. It might be surprising, but only if we forget about a situation of an author and the purpose of publishing the whole book by Literature Bureau. It would be strange if one of the books relased as a result of the contest organized by the Europeans openly stands against them. It would be more clear if we consider Gandoki as a kind of voice that speaks about the cogitations of the author. By taking his point of view, we will see the pragmatism of Bello Kagara who has told about his feelings but still wishes to benefit from the system. From the other side, he was educated so he becomes one of the beneficiates of the changes that happen in Northern Nigeria. He had an opportunity to see their qualities and has a right to admire them.

Conclusion

The books presented above have a lot in common, all of them talk about the era that has finished long time ago or describe some aspects of transition that lead to greave changes in Nigerian society and administration. That makes them useful source of data, but still an additional one, the one that should always be compared with other, more reliable and less endangered by the manipulation. Novels presented here, have one most important advantage – they've been written by the persons that have actually lived through the facts they've described. And if we cannot experience something to have our own opinion, we have to rely on the experiences of the others. So, those are the experiences taken from some of the Hausa prose writings. There are many more and many of them, just like those presented above, bring us some images, frozen in time but still dynamic, made alive by the imagination of an author and a reader.

Reading a book is to experience the world created by an author, to mix with his ideas and hear his words putted to the mouths of characters created. Exchange of the intellectual values is one of the aspects of crossing of the cultural borders. So, if the book could be a border itself it for sure should become a source for border studies.

Border and Border Crossing in Lusophone Africa.

Dislocation, Assimilation, Language, and National Identity in the Works of

Abdulai Sila (1957-), Ondjaki (1977-), Rui Knopfli (1932-1997),

and Mia Couto (1955-)

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I

> Spacing designates nothing that is, no presence at a distance; it is the index of an irreducible exterior, and at the same time a movement, a displacement that indicates an irreducible alterity.[2]

In this study I shall look at the images of border and border crossing, either strictly fictional, surreal, or factual, evoked in the works of a selected number of Lusophone African writers from Angola, Guinea-Bissau, and Mozambique, namely Abdulai Sila (1957-), Ondjaki (1977-), Rui Knopfli (1932-1997), and Mia Couto (1955-). Using as a springboard the literary and ideological settings that triggered and that are later found in some of the writings of these four African writers, I shall then proceed to an analysis of the deeper sentiments of belonging and dislocation, as well as the likewise deeper feelings of assimilation, integration, (or lack thereof), and national identity, including language issues, present in the works, thoughts, and actions of these selected four Lusophone African writers of the past and new millennium.

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[1] Associate Professor and Director of the Language Centre, School of Modern Languages and Cultures.
[2] Jacques Derrida, Alan Bass, and Henri Ronse. *Positions*. Chicago: U of Chicago P, 1981. 81, also quoted in Hein Viljoen. ―Borders and their Transgression in Recent South African Fiction," in *Proceedings of the XIIth Congress of the International Comparative Literature Association/Actes du XIIe congrès de l'Association Internationale de Littérature Comparée: München 1988*. Eds. Roger Bauer, and Douwe Munich Fokkema. 5 vols. Munich: Iudicium; 1990. 2: 118-123. 2: 118.

II

Since 1446, when the first Portuguese arrived in present-day Guinea-Bissau, until its independence, or rather, ―tanto antes como depois da sua independência em 1974, a história política e social da Guiné tem estado estreitamente ligada à de Cabo Verde."[3] The first study on Guinea Bissau was in fact written by a Cape Verdean—the merchant, chronicler, and captain André Álvares Gonçalves de Almada (Santiago, sixteenth century) who wrote the *Tratado breve dos Rios de Guiné do Cabo-Verde* (*Short Treatise of the Rivers of Guinea Cape Verde*), (1594)[4]—whose work, notwithstanding the historical period in which it was written, contains a few attacks against the system, highlighting, within its limits, as well as what he was allowed to say, the local African cultures and societies:

> […] a importância da descrição de Almada, a meu ver, deve ser a leitura que se faz da sociedade africana que cria mecanismos para se defender do poder, e combater as suas formas discricionárias e centralizadoras, tentando, de uma forma extremamente interessante, combater as suas ―vertigens."[5]

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[3] ―Either before or after its independence in 1974, the political and social history of Guinea Bissau has been tightly linked to that one of Cape Verde." [translation provided by the author]. Russell G. Hamilton. *Literatura Africana. Literatura Necessária. 2. Moçambique, Cabo Verde, Guiné-Bissau, São Tomé e Príncipe*. Lisbon: Edições 70, 1984. 2: 215.

[4] André Álvares Gonçalves de Almada. *Relação e Descrição da Guiné, na Qual se Trata de Várias Nações de Negros Que a Povoam, dos Seus Costumes, Leis, Ritos, Cerimonias, Trajos, da Qualidade dos Portos e do Comércio Que neles Se Faz. Escreveu o Capitão André Gonçalves de Almada*; André Álvares Gonçalves de Almada. *Tratado Breve dos Rios da Guiné do Cabo-Verde*. 1594. Ed. António Luís Ferronha. Lisbon: Comissão Nacional para as Comemorações dos Descobrimentos Portugueses, 1994.

[5] ―The importance of Almada's description, in my view, should be his reading of African society, one that creates mechanisms to defend itself from power and fight its discretionary and centralized forms, thus trying, in a very interesting way, to fight its ―ertigos"." [translation provided by the author]. André Álvares de Almada. *Tratado Breve dos Rios da Guiné do Cabo-Verde*. 1594. Ed. António Luís Ferronha. Lisbon: Comissão Nacional para as Comemorações dos Descobrimentos Portugueses, 1994. 5.

However, we would have to wait until 1879 for the creation of the first printing press in Portuguese Guinea, a year later followed by the publication of the first local gazette, the *Boletim Oficial da Guiné*, (*Guinea Official Bulletin*), published for more than ninety years, namely, until 1974.[6]

As in other Portuguese-language literatures of the future Lusophone African countries, also in Guinea Bissau[7] the first literary works—from 1886 to almost the first half of the twentieth century—were of colonial nature where the people and the land are narrated by Portuguese or assimilated/*Portuguesized* native people. By the way, this feature remained until Guinea Bissau eventually gained its independence. In fact, ―até antes da independência nacional não foi possível ultrapassar a fase da literatura colonial. E esta mesmo de reduzida extensão.‖[8] In other words, given the sociopolitical obstacles, which hindered the birth and the flourishing of all art forms, ―durante a dominação portuguesa, não veio um poeta ou um romancista de mérito.‖[9]

Among the first literary productions on or of Guinea Bissau literature, even though still very ―European‖ in its nature, is the *Litteratura dos negros. Contos, cantigas e parábolas*, (*Black Literature. Short Stories, Songs, and Parables*),[10] a collection of short stories, songs, and fables

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[6] *Boletim official do Governo da Provincia da Guiné Portugueza* (1884-1892); *Boletim official da Guiné Portugueza* (1892-1898); *Boletim official da Provincia da Guiné Portuguesa* (1898-1927); *Boletim oficial da Colónia da Guiné* (1927-1951); *Boletim oficial da Guiné* (1951-1974); *Boletim oficial* (1974-). Bolama (1884-1951); Bissau (1951-): Imprensa Nacional.

[7] Guinea Bissau is divided in eight regions and an autonomous area, namely: Biombo (capital: Quinhamel), the autonomous area of Bissau (capital: Bissau), Bafatá (capital: Bafatá), Bolama (capital: Bolama), Cacheu (capital: Cacheu), Gabú (capital: Gabú), Oio (capital: Farim), Quinara (capital: Quinara), and Tombali (capital: Catió).

[8] ―Until even before national independence it was not possible to overcome the colonial literature phase, which was already minimal in its production.‖ [translation provided by the author]. Manuel Ferreira. *Literatura africana dos países de expressão portuguesa*. vol. 1. Biblioteca Breve/Volume 6. Lisbon: Instituto de Cultura Portuguesa, 1977. 1: 89; 90.

[9] ―During Portuguese domination, there were no poets or novelists of merit.‖ [translation provided by the author]. Manuel Ferreira. *Literatura africana dos países de expressão portuguesa*. vol. 1. Biblioteca Breve/Volume 6. Lisbon: Instituto de Cultura Portuguesa, 1977. 1: 89; 90.

[10] Separate edition of the *Tribuna* and published in Lisbon in 1900 by the Typographia do Commercio. See: Carlos Cardoso, and J. Augel, eds. *Guiné-Bissau. Vinte Anos de Independência*. Bissau: INEP, 1996; João Dias Vicente.

gathered, translated, and edited by Marcelino Marques de Barros (1843-1929), a Franciscan friar born in Guinea Bissau, Vicar General and Superior of the Missions to Portuguese Guinea, professor at the *Colégio das Missões* in Portugal, member of the Geographic Society of Lisbon, famous storywriter,[11] and author of the first Portuguese-Guinean Creole dictionary,[12] published in five articles in the famous journal *Revista Lusitana* (*Lusitanian Review*), (1897-1906):

> […] nas primeiras décadas do nosso século não surgiu nenhum guineense que merecesse o designativo de continuador da obra do cónego guineense Marcelino Marques de Barros, figura importante do último quartel do século XIX que, em minha opinião, terá lançado os gérmenes duma identidade nacional verdadeiramente guineense, à qual está indiscernivelmente associada a sua opção de estudo do crioulo e algumas línguas nacionais. Nem mesmo o «escuro e obscuro português», como o próprio Honório Pereira se intitulava, foi tão longe em matéria de nacionalismo como foi Marcelino Marques de Barros, não obstante se deve àquele as constantes denúncias do racismo colonial, hesitante embora, dado aos cargos que desempenhou em colaboração com o sistema colonial.[13]

As for the presence of the Portuguese-based Creole language in Guinea Bissau, referred to as *Kriol*, and the ties with its Cape Verdean counterparts, the *Kriolu* languages—erroneously referred to as "dialects," or, even worse, as "Portuguese dialects"—it should be noticed that,

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Subsídios para a biografia do sacerdote guineense Marcelino Marques de Barros, 1844-1929. [Bissau]: Instituto Nacional de Estudos e Pesquisa, [1990?].

[11] Marcelino Marques de Barros contributed with stories, short stories, and many ethnographic accounts appeared in the *Novo Almanaque de Lembranças Luso-Brasileiro*, the *Almanaque Luso-Africano*, the *Voz da Pátria*, and the abovementioned *Revista Lusitana*. Of particular interest is the *Litteratura dos Negros. Contos, cantigas e parabolas. (Separata da "Tribuna")*. Lisbon: Typographia do Commercio, 1900, a splendid collection of Mandiga and Papeis stories, as well as traditional stories followed by their translation into Portuguese.

[12] Marcelino Marques de Barros. "O Guineense." *Revista Lusitana* 5-6 (1897-1899): 74-317; Marcelino Marques de Barros. "O Guineense." *Revista Lusitana* 7 (1902): 82-96; 166-188; 268-282; Marcelino Marques de Barros "O Guineense." 9 (1906): 306-311.

[13] "In the first decades of our century there were no Guineans who could be considered worthy of following the work of the Franciscan friar Marcelino Marques de Barros, important figure of the last quarter of the 19th century who, in my opinion, was responsible for setting the foundations of a truly Guinean national identity, to which it is undiscernibly associated his option of studying Kriol and some national languages. Not even the «dark and obscure Portuguese», as Honório Pereira would call himself, went as far, in matters of nationalism, as Marcelino Marques de Barros did, even though we owe the former the constant attacks against colonial racism; nonetheless, given his position within the colonial system, they were still very hesitant." [translation provided by the author]. Leopoldo Amado. "A Literatura Colonial Guineense." *Revista ICALP* 20-21 (Julho – Outubro, 1990): 160-178. 165.

from the very beginning many of the super-intenders and public officials, as well as the civilians tied to trade, were of Cape Verdean origin. It is obvious, then, that Cape Verdian Creoles made their way throughout Portuguese Guinea: from the coast to the more remote areas of the then Portuguese colony—"Soon Kriol would spread further into the interior given the presence of mulattos of Cape Verdean extraction who propagated Creole dialects throughout the colony"—[14] gradually gaining a "local flavor," acquiring its own characteristics, distancing itself from its source, and evolving in such a way that, during the first two decades of the twentieth century, "o crioulo guineense já estava definido por características distintas das do cabo-verdiano."[15] With the gradual decline and subsequent abandonment of the transatlantic slave trade, a route in which Cape Verde played a very important role, the two Portuguese-based Creoles then began to follow two different sociolinguistic paths:

> In the Cape Verdean archipelago, Creole dialects also developed since contact in a society founded upon slave labor imported from the Guinea coast. The isles' decline as a slave entrepôt from the middle of the seventeenth century accelerated existing divergences between the Creoles spoken in the two regions.[16]

From now on Guinean Creole will be considered as an African language, one of the native languages of Guinea Bissau, spoken and understood by many inhabitants of former Portuguese Guinea, rather than an "imported" and foreign language.[17] In fact, given the contact

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[14] Philip J. Havik. "Kriol without Creoles: Rethinking Guinea's Afro-Atlantic Connections (Sixteenth to Twentieth Centuries)," in *Cultures of the Lusophone Black Atlantic*. Eds. Nancy Priscilla Naro, Roger Sansi-Roca, and David H. Treece. New York: Palgrave Macmillan, 2007. 41-73. 59.

[15] "Guinea Kriol was already marked by different features from Cape Verde Creoles." [translation provided by the author]. Russell G. Hamilton. *Literatura Africana. Literatura Necessária*. 2. *Moçambique, Cabo Verde, Guiné-Bissau, São Tomé e Príncipe*. Lisbon: Edições 70, 1984. 2: 215.

[16] Philip J. Havik. "Kriol without Creoles: Rethinking Guinea's Afro-Atlantic Connections (Sixteenth to Twentieth Centuries)," in *Cultures of the Lusophone Black Atlantic*. Eds. Nancy Priscilla Naro, Roger Sansi-Roca, and David H. Treece. New York: Palgrave Macmillan, 2007. 41-73. 63.

[17] See, among others, *N Sta Li N Sta La*, or rather, "estou ali, estou lá," ("I am there, I am there"), opus gathered on the Island of Bolama on the oral traditions in Guinean Creole: Teresa Montenegro, and Carlos Morais, eds. 2 vols. *N Sta Li N Sta La*. Bolama: Imprensa Nacional, 1979; Teresa Montenegro, and Carlos Morais, eds. *Junbai*. Bolama:

with African languages spoken in the area, Guinean *Kriol* portrays some characteristics that fluctuate, at times modeled upon or adapting itself to the languages it encountered as it spread and gained its space side by side with the local languages of the area. In other words, the *Kriol*: ―varies from place to place. That of Balanta is mixed with Pepel, that of Ziguinchor with Felupe and Banhu, that of Farim with Mandinga. The way Kriol is spoken defines the social rank of the speaker."[18]

As for Guinean letters *par excellence*, the next twenty-five years (1945-1970) were characterized by a different literary genre, actually very common in many anti-colonial circles, not necessarily exclusively Lusophone, namely, poetry, particularly guerrilla poems, in Portuguese as well as in Kriol, the latter valued as the true conveyer of the national sentiment against the colonial regime:

> […] durante a guerrilha o crioulo da Guiné, sob o ímpeto da mobilização popular, ia estendendo o seu alcance territorial. Estes factores têm contribuído sobremaneira para o uso do crioulo na arrancada da literatura guineense.[19]

Imprensa Nacional, 1979; Teresa Montenegro, and Carlos Morais, eds. ―Uma primeira interrogação em crioulo à cultura popular local". *África* 6 (1979).

[18] Bertrand Bertrand Bocandé. ―Sur la Guinée Portugaise ou Sénégambie Méridionale". *Bulletin de la Société de Géographie de Paris* 1.12 (1849): 57-93. 76, cited in Philip J. Havik. ―Kriol without Creoles: Rethinking Guinea's Afro-Atlantic Connections (Sixteenth to Twentieth Centuries)," in *Cultures of the Lusophone Black Atlantic*. Eds. Nancy Priscilla Naro, Roger Sansi-Roca, and David H. Treece. New York: Palgrave Macmillan, 2007. 41-73. 55.

[19] ―[…] during the guerrilla warfare Guinean Kriol, under the impetus of popular mobilization, was gaining ground within the country. These factors have contributed tremendously toward a widespread use of Kriol in the burgeoning Guinean literature." [translation provided by the author]. Russell G. Hamilton. *Literatura Africana. Literatura Necessária*. 2. *Moçambique, Cabo Verde, Guiné-Bissau, São Tomé e Príncipe*. Lisbon: Edições 70, 1984. 2: 215.

Guerrilla poetry was therefore a literary genre very useful to express the overall frustration against the abuses and the subsequent socioeconomic adversities that Guineans were facing. Contrary to what happened in other Lusophone African areas, in Guinea Bissau poetry was born: ―em pleno período da luta armada ou então já no período pós-libertação nacional."[20]

It is no surprise, then, that during these years the first Guinean (militant) poets appeared, instigating, as much as possible in all their works, insurgence and combat for complete freedom and self-determination for Guinea Bissau, for a free and sovereign nation. Among the many poets who contributed with their work to the cause, the following are worth mentioning: Carlos Alberto Alves de Almada (1957-), Vasco Cabral (1926-2005), António Cabral (pseudonym: Morés Djassy) (1951-), José Carlos Schwartz (1949-1977), António Baticã Ferreira (1939-1989), António Soares Lopes Júnior (alias: Tony Tcheka) (1951-), Justino Nunes Monteiro (penname: Justen) (1954-), Ricardo Pellegrin El Kady (ca. 1945-), Hélder Magno Proença Mendes Tavares (1956-), and Nagib Farid Said Jauad (1949-).

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[20] ―During the time of armed struggle or already during the post-colonial period of national freedom." [translation provided by author]. Manuel Ferreira. *Literatura africana dos países de expressão portuguesa*. vol. 1. Biblioteca Breve/Volume 6. Lisbon: Instituto de Cultura Portuguesa, 1977. 1: 93.

IV

> São óbvias as desvantagens de não ter havido um movimento
> cultural-literário na Guiné-Bissau no tempo colonial. Mas também
> há certas vantagens para os iniciadores de uma literatura guineense
> nos primeiros momentos da independência nacional.[21]

This statement appears to be particularly true for the poetic scene of the young Guinean poets right after Independence (1974). [22] The lack of a ―geração ilustre" (―illustrious generation")—with works published before, during, and, most certainly, after independence— lead to the fact that many authors chose as the main theme of their poetry the echoes, the repercussions, and the reverberations of the guerrilla warfare during the colonial wars. During more than a decade many authors emerged, some good and talented, some still in need of training or fine-tuning; yet, all testifying to the difficult process of adapting to the new life in Guinea Bissau, where the colonial monster was gradually being substituted by other equally horrible monsters, this time national, though directly or indirectly activated or caused by Neocolonialism, this time of international dimensions.

Nevertheless, we would have to wait until the beginning of the last decade of the *fin-du-siècle* of the twentieth century to finally observe what Guinean prose was all about.[23] In fact,

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[21] ―The disadvantages of not having had a cultural-literary movement in Guinea Bissau during the colonial period are obvious. However, there are also some advantages for those who started a Guinean literature in the first moments of national independence." [translation provided by the author]. Russell G. Hamilton. *Literatura Africana. Literatura Necessária*. 2. *Moçambique, Cabo Verde, Guiné-Bissau, São Tomé e Príncipe*. Lisbon: Edições 70, 1984. 2: 218.

[22] Independence was unilaterally proclaimed on September 24, 1973, though it was only recognized by Portugal on September 10, 1974.

[23] Perhaps the African novels—written by Cape Verdean writer Fausto Duarte (1903-1955)—all edited in Portugal, on African topics, including Guinea Bissau, that give a somewhat positive image of the African continent and its people are the following volumes: *Auá: Novela Negra* (1933), *O Negro sem Alma* (1935), *Rumo ao Degredo* (1936), *A Revolta* (1942), and *Foram Estes os Vencidos* (1945).

"les années 1990 ont vu l'apparition de la prose"[24] in Guinea Bissau. However, even though Guinean prose made its debut in 1993 with the work *A Escola. Contos* (*The School. Short Stories*)—a collection of stories on women's condition in the country, actually the first of its kind—written by Domingas Barbosa Mendes Samy (1955-), endearingly known as Mingas, the first post-colonial Guinean novel was the result of Abdulai Sila's imagination.[25]

The fact that many, if not all those who were against the Portuguese colonial regime spoke Kriol made it possible that, as time and generations went by, this language acquired a significant sociopolitical weight and a very strong sentiment of national identity, in the cities, mainly in Bissau, as well as inland, thus symbolizing the guerrilla warfare against the foreign oppressor, as well as a linguistic option readily available to anyone; hence, Kriol was a linguistic means filled with immense strength, symbolism, and patriotic values, at times indescribable:

> […] Kriol became a vehicle of dissent and mobilization in "Portuguese" Guinea against the colonial regime during the anti-colonial war (1963-1974). […] Building upon its secular role as a language of Afro-Atlantic and intra-African contact and mediation, Kriol in fact reinforced its presence in the interior during the colonial period and its aftermath to such an extent that it is now the de facto national language of independent Guinea Bissau.[26]

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[24] "The 1990s have witnessed the birth of prose." [translation provided by the author]. Elisabeth Monteiro Rodrigues. "Guiné-Bissau, une littérature en devenir." *Africultures* 26.3 (2000): 66-68. 68.

[25] Domingas Barbosa Mendes Samy. *A Escola. Contos*. Bissau: Editora Escolar, 1993. Between 1946-1973, the *Boletim Cultural da Guiné*, one of the many Portuguese Government institutions, published many works on Guinea Bissau, among which are worth mentioning the following volumes and their authors: Manuel Belchior. *Grandeza Africana: Lendas da Guiné Portuguesa* (1936); João Eleutério Conduto. *Contos Bijagós* (1955); Alexandre Barbosa. *Guinéus* (1962); and Manuel Belchior. *Contos Mandingas* (1967).

[26] Philip J. Havik. "Kriol without Creoles: Rethinking Guinea's Afro-Atlantic Connections (Sixteenth to Twentieth Centuries)," in *Cultures of the Lusophone Black Atlantic*. Eds. Nancy Priscilla Naro, Roger Sansi-Roca, and David H. Treece. New York: Palgrave Macmillan, 2007. 41-73. 64.

V

> […] com a iniciativa dos jovens poetas e do grupo de Bolama, a
> arrancada da literatura guineense está garantida.[27]

Electric engineer graduated from the University of Dresden, economist, and social researcher, universally acclaimed as the founder of Guinean fiction, Abdulai Sila, born in Catió in 1958, was also co-founder of the *Instituto Nacional de Estudos e Pesquisas* (National Institute of Studies and Investigation), co-founder of the first privately-owned Guinean publisher, Ku Si Mon (1994), and co-founder of the first Guinean literary journal, *Tcholona* (1994-). Currently, Sila works as an administrator for *Eguitel Comunicações* (Eguitel Communications), a telecommunications firm located in Bissau.

Aside having written articles related to his daytime profession,[28] to this date Abdulai Sila has published the story ―O Reencontro" (―The Reencounter")—included in the journal *Tcholona, Revista de Letras, Artes e Cultura* (*Tcholona, Review of Letters, Arts, and Culture*) 1 (April, 1994)—and three novels, namely the trilogy: *Eterna Paixão* (Eternal Passion), (1994), *A Última Tragédia* (The Last Tragedy), (1995), and *Mistida* (1997),[29] a collection of: ―[t]rois romans *guinéens* tout frais moulus permettront aux lecteurs de se faire une idée de ce qu'on rencontre

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[27] ―[…] with the initiative of the young poets of the Bolama group, the beginning of Guinean literature is guaranteed." [translation provided by the author]. Russell G. Hamilton. *Literatura Africana. Literatura Necessária*. 2. *Moçambique, Cabo Verde, Guiné-Bissau, São Tomé e Príncipe*. Lisbon: Edições 70, 1984. 2: 232.

[28] Abdulai Sila. ―Aproveitamento da energia solar na Guiné-Bissau: perspectivas e problemas." *Soronda, Revista de Estudos Guineenses* 1 (Janeiro, 1986); Abdulai Sila. ―Potencialidades e necessidades energéticas da Guiné-Bissau," in *A Guiné-Bissau a caminho do ano 2000*. Bissau: INEP, 1987; Abdulai Sila. ―Estratégias de Desenvolvimento e Alternativas Tecnológicas: um Estudo de Caso da Guiné-Bissau." *Soronda, Revista de Estudos Guineenses* 13 (Janeiro, 1992); Abdulai Sila. ―A Penúltima Vaga," in *Perspectivas do Desenvolvimento das Telecomunicações na Guiné-Bissau*. Bissau, 1998.

[29] The first two novels were translated into French: *Eternelle Passion*. Saint-Maure: Éditions Sépia, 1995, and *L'ultime tragédie.* Saint-Maure: Éditions Sépia, 1995.

dans ces écrits destinés à la consommation locale."[30]   However, besides catering to the local

audience, these works are a true key to understanding and appreciate the new Guinea Bissau of

these past twenty years, particularly the last twelve years.

Famous for not only being the first Guinean novel, *Eterna Paixão*[31] is also known for

being the first literary work written by a Guinean on the difficult transition period in Guinean

society, or rather, of the change from the old and rigid colonial settings to the complex

implantation of a new Guinean élite, the latter appearing as the mythical Phoenix, arising from

the ashes of its struggle for independence:

> *Eterna paixão*. Sou couvert d'une histoire d'amour entre un
> Africain-Américain et des filles d'Afrique, c'est une critique des
> jours sans gloire traversés par le pays après l'indépendance. Son
> héros fait retour à la vie simple des *tabancas* (villages), la vieille
> Afrique mythique, devenue terre de passion pour un déraciné, un
> désabusé de la politique. C'est l'enterrement de l'utopie
> «palopienne ». Sautons par-dessus le deuxième roman de Sila
> […].[32]

The Afro-American, Daniel Baldwin—inspired by the Pan-Africanist Movement and one

of its leaders, the Jamaican hero Marcus Mosiah Garvey, Jr. (1887-1940), founder of the

Universal Negro Improvement Association and African Communities League (1914)—returns to

an unspecified African country, determined to give back his knowledge, talent, and love to the

continent from which his ancestors were taken away enslaved. His father was killed by the Ku

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[30] ―Three Guinean novels, freshly divided and broken up in pieces, that will enable their readers to have an idea of what one can find in these writings destined to local consumption." [translation provided by the author]. René Pélissier. ―L chronique des livres sous la responsabilité de François Guichard." *Lusotopie* (1998): 521-548. 24.

[31] Even though *Eterna Paixão* was the first work published by a Guinean, Abdulai Sila had already written in Dresden, in 1984, what will later be his second novel, A *Última Tragédia*, which was eventually published in 1995.

[32] ―Eternal Passion: using as a pretext the love story between an African-American and African women, it is a contemporary critique, with glory, through post-independence Africa. Its heroes return to simple life of the *tabancas* (villages), the old mythical Africa, now land of passion for an uprooted person, a person disabused by politics. It is the burial of the «palopian» utopia. Let's salute Sila's second novel, a true masterpiece!" [translation provided by the author]. René Pélissier. ―L chronique des livres sous la responsabilité de François Guichard." *Lusotopie* (1998): 521-548. 24.

Klux Klan. Hence, Daniel feels the need to return to Africa, to the mythical, or rather, idealized place where people live in peace and harmony, where freedom reigns, though he was perfectly aware of the stereotypes on Africa, as ―qualquer coisa de atrasado, ruim, horrível, cuja referência convinha evitar sempre que possível‖.[33] Yet, Daniel returns to Africa not as a foreigner, an Afro-American, but rather, as a ―filho de emigrantes‖ (―sons of immigrants‖), returning to the land ―dos nossos avós‖ (―of our grandfathers‖). His marriage to Ruth, an African woman who has had the opportunity of studying in the United States, gradually turns into a nightmare, since a desire to follow the ideals of the west and being seduced by local corruption turn her into a totally different person.

The new bourgeoisie and the new élites of the new independent state were thus able to create, alas, like in most post-colonial states around the world, a system upon which power remained close to home; hence, the creation of a one-party only government, based on political and military repression. A corrupted oligarchy continued with its privileges whereas the rest of the country continued living in the utmost poverty, struggling to make ends meet. The struggle for freedom and self-determination was thus replaced by a struggle for justice, for equality among ―more equal‖ citizens/compatriots.

Daniel is arrested and tortured by a shady system, the same system that ―seduced‖ and changed forever his former wife. Once free to move about, Daniel settled in a utopian village, Woyowayan,[34] the hometown of his former maid, Mbubi, who, on the other hand, represents ―traditional‖ African values. The utopian village miraculously turns into a model society for the

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[33] ―Something backwards, bad, horrible, a reference that one had to avoid at all costs.‖ [translation provided by the author]. Abdulai Sila. *Eterna Paixão*. Bissau: Ku Si Mon Editora, 1994. 33.

[34] Loosely based on Woyowayan-Ko in present-day Guinea-Conakry, not far from Mali. Most likely it was chosen as a symbol of African resistance against colonialism, since it was here that Samori ibn Lafiya Ture (ca. 1830-1900), founder of the Wassoulou or Mandinga Empire, gained a famous battle against the French (April 2, 1882).

entire country. Miracle number two: the political change within the country — and this time, it is real democracy. Daniel is invited to be part of the new democratic government, thus contributing with his ideas and ideals of freedom and equality for all. However, after spending some time in his new role at the capital, Daniel returns to the utopian village, Woyowayan, since, after all, it is his ―eterna paixão." The village is thus the future, whereas the city, the capital, is the corrupt colonial past, as well as the ugly post-independence past, where nepotism and oligarchy still oppress(ed) the people. It is interesting to see that in this novel there is hope, there is a chance for a positive transformation, and this time for the better. Needless to say, the borders that Sila's characters cross are multiple: city vs. village, traditional roles and values vs. modern and corrupt ideas of democracy, and a traditional Africa vs. a westernized Africa.

A Última Tragédia, instead, is a return to the colonial time through the character of Ndani,[35] a *femme fatale* (*fatale* in the literal sense) who, unfortunately, only attracts bad luck: this was her destiny, predicted by a *djambacu* (town sorcerer). Having left her village, Biombo, at the age of thirteen, trying to escape her ill fate, Ndani eventually settles in the capital, Bissau, where she ends up working as a maid for a Portuguese family who later change her name into Daniela, easier to pronounce and associated with her new faith: Catholicism. The relations between the town and the traditional African village, the colonial power (represented by the arrogant, white colonizer) versus local, African rulers (as in the case of Quinhamel) and their people, Catholicism (brought by the colonizer) versus traditional, African religions, as well as the Portuguese community and Guineans as a whole during this period are described with an uncommon, yet subtle realism. Abdulai Sila uses this opportunity to describe life in the village, focusing on its people, like the *djambacus*, the *balobeiros* (priests/shamans/religious leaders)

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[35] Whose sole ambition was that of being a domestic help to a Portuguese family.

who, because of their very nature, powerfully control and skillfully manipulate the entire community. Against this backdrop, there is an unnamed, young professor, full of dreams and hopes for his beloved country, in love with Ndani who, in the meantime, had been violated by her Portuguese boss and was later rejected as his sixth wife by the African ruler Quinhamel. The young professor—referred to as "filho de Obem Ko," ("son of Obem Ko"), a legendary fighter against the system—and Ndani leave for Catió, hoping to build a new life together. Yet, they are being hunted down by bad luck. Following an altercation after a soccer game, the professor is imprisoned, unjustly accused of murder, and exiled to São Tomé. Abdulai Sila's "last tragedy," then, is a wish for this being the last calamity that befell on Guinea Bissau and its people.

The tragedy contains many words in Kriol which, in its turn, given its inner force, seems to open a separate path, almost parallel to the one being narrated; thus giving more value to the author's message, always careful in representing the feelings of his characters and, through them, of his People, its suffering, its dream, and its hopes. Once again, we are faced with a border, in this case, a sociolinguistic frontier:

> Abdulai consegue imprimir um ritmo interessante ao texto. Tem uma plasticidade já conhecida e não necessariamente ilustre, mas aqui e ali reserva surpresas interessantes. Por exemplo, o recurso a termos *kriol* é muito bem feito […] Também é interessante o aproveitamento dos cultos religiosos na determinação dos comportamentos.[36]

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[36] "Abdulai succeeds in giving an interesting rhythm to the text. It has a familiar, yet not necessarily famous plasticity; however here and there in the text there are very interesting surprises. For example, the use of Kriol is very well done […]. It is also interesting [to see] how the author makes good use of the religious practices that influence the behavior of his characters." [translation provided by the author]. Carlos Lopes. "Raça e Classe nos Olhos de Um Escritor." *Tcholona. Revista de Letras, Artes e Cultura* 4 (Julho, 1995): 17-18. 18.

VI

> [Abdulai Sila] traite de la transition de la société guinéenne, du passage des structures coloniales à l'installation d'une nouvelle élite issue de la lutte pour l'indépendance.[37]

In *Eterna Paixão* and *A Última Tragédia*, perhaps owing to the very fact that they were conceived, written, and then published a few years before Sila's third novel, *Mistida*—as in the case of *A Última Tragédia*, written thirteen years earlier—it seems natural that the main characters are placed within a colonial setting (1950s), as well as against the backdrop of the first post-independence decade, in a still convalescent and traumatized Africa. Though there are no main characters, hence, there are no real heroes, the characters that Sila portrays—every-day heroes, anti-heroes, winners, and losers—are people who, for the most part, show qualities that are very clear and definite, thus, very human. In other words, the realism of each story dictates an authenticity clearly marked in the actions and the thoughts of the characters, as in the case of the: "patroa branca iluminada pelo Deus redentor, a criada negra nascida na tabanca sob o sinal do azar, o intelectual honesto isolado dos seus pares."[38]

Hope thus appears to be the main theme, perhaps the only common denominator of the characters found in *Mistida*, as well as in Sila's first two novels. From an embryonic stage, latent, not-complete, manifested in *Eterna Paixão*, hope transforms itself in true life option, and through it, the characters of *A Última Tragédia* succeed in overcoming many of the obstacles found along the way.

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[37] "[Abdulai Sila] deals with the transition of Guinean society, of the passage from colonial structures to the implantation of a new élite borne out of the struggle for independence." [translation provided by the author]. Elisabeth Monteiro Rodrigues. "Guiné-Bissau, une littérature en devenir." *Africultures* 26.3 (2000): 66-68. 68.

[38] "[…] the white matron illuminated by God the redeemer, the black maid born in the *tabanca* (village) under a bad omen, the honest intellectual isolated by his peers." [translation provided by the author]. Teresa Montenegro. "Prefácio," in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 10.

The fact that *Mistida* was published in March 1997, or rather, a year before the beginning of the civil war in Guinea Bissau (1998-1999), makes Abdulai Sila's third and last novel a prophetic work *ante litteram*. The June 1998, military coup d'état in fact opened the doors to the already incipient civil war and the expulsion of the then president of Guinea Bissau, João Bernardo Vieira (1939-2009), better known as Nino Vieira or also as Kabi Nafantchamna. In other words, as Russell Hamilton rightly has stated: "[l]ido no contexto da situação política da Guiné-Bissau desde 1980, *Mistida* exige a derrubada do Presidente Vieira,"[39] after nineteen years of absolute power.

The messages included in the first two novels continue on with *Mistida* which, in a way, completes the underlying themes found in Sila's trilogy. Abdulai Sila this time chose to write a "ficção actualizada," ("updated fiction"), or rather, a physical and mental simulacrum, conceived in order to face "a flagrante crise de sentido que percorre globalmente o mundo em que vivemos,"[40] and, at the same time, he wanted to offer a wide range of possible solutions, thus avoiding the existential crisis which each one of us, through the main characters, tries to overcome, no matter what. Thus, in Abdulai Sila's *Mistida* one can find mystery, madness, and daydreaming in many of the characters, all wrapped up in a surreal world. In other words, they are searching for "saídas e de novos sentidos que permitam sobreviver à desestruturação."[41]

As for the title of the novel, *Mistida*, we should note that the word comes from the Kriol *mistida* which, in its turn, it the derived form of the verb *misti*, or rather, "gostar de alguma

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[39] "Written in the context of the political situation of Guinea Bissau since 1980, *Mistida* demands the removal of President Vieira." [translation provided by the author]. Russell G. Hamilton. "A Literatura dos PALOP e a Teoria Pós-Colonial". *Via Atlântica* 3 (December, 1999): 12-22. 20

[40] "The huge crisis of meaning that seriously affects the entire world in which we live." [translation provided by the author]. Teresa Montenegro. "Prefácio," in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 11.

[41] "A way out and new meanings that would allow them to overcome destructuralization." [translation provided by the author]. Teresa Montenegro. "Prefácio," in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 11.

coisa/alguém" ("to like/love something/someone"). As time went by, instead, mainly because of

its use in other contexts, the word began to incorporate many other meanings, according to the

specific use within the sentence and the occasion. From "gosto," ("liking something/someone"),

"desejo," ("desire"), and "amor," ("love"), the word then gradually meant "ambição,"

("ambition"), "aspiração mais alta," ("higher aspiration"), as well as "comércio," ("business

dealings"), "negociação," ("negotiation"), and "troca e acordo com outrem," ("exchange and

agreement with someone"). *Safar uma mistida* or *safar a mistida* acquire, then, many different

meanings, according to the circumstances, as "ir beber um copo de vinho de caju … concretizar

um negócio, participar numa reunião do partido ou ainda fazer amor com uma amante."[42]

However, in Sila's novel, the word *mistida* acquires multiple semantic values, all having

as their common denominator the centrifugal force of transition, of constant struggle for this

change, most of the times subconscious but always wished for. Hence, the characters must adapt

themselves to the new value, sometimes unknown, yet almost always caused by the evils of (a.)

colonialism and of (b.) the civil war, the latter resurfaced from the ashes of the war for

independence:

> Souvent, le besoin de comprendre et d'expliquer la faillite des
> indépendances amène les romanciers à remonter à la période
> coloniale pour y rechercher les origines et les causes.[43]

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[42] "To go and have a glass of *caju* wine with someone … to finalize a business dealing, to attend a meeting at the seat of the party, or also to make love with your lover." [translation provided by the author]. Russell G. Hamilton. "A Literatura dos PALOP e a Teoria Pós-Colonial". *Via Atlântica* 3 (Dezembro, 1999): 12-22. 20-21.

[43] "Often, the need to understand and to explain the failure of independence leads writers to return to the colonial period in order to find its origins and its causes." [translation provided by the author]. Guy Ossito Midiohouan. *L'idéologie dans la littérature négro-africaine d'expression française*. Paris: L'Harmattan, 1986. 208.

Mistida is divided into ten chapters or episodes,[44] brought together by a common denominator, social criticism against the evils that come from human corruption which, since it is a human condition, hence congenital in each one of us, transcends all chronological, sociopolitical, linguistic, skin, ethnic, or racial values and borders: ―Não há controle na terra … […] Cada um faz o que quer. Cada um está a roubar. […] Mas é evidente!"[45] The corruption of the members of the Government of the young republic thus lead to the inevitable concentration of power in a few hands, in other words, of a ―volvocracy."[46] In order to maintain the *status quo*, there is the inevitable creation of only one party, a phenomenon which is typically found in many post-colonial countries in Latin America, Africa, and Asia: ―L'indépendance ne lui a apporté […] «que la carte d'identité nationale et celle du parti unique»."[47] It is not surprising then, that the characters in *Mistida* live, act, and gravitate around, in a constant state of disillusion, most of the times accompanied by confusion, always waiting for a solution or at least for an epiphany, both leading the characters to the hoped for final catharsis and final crossing into a different world, real or imagined:

> En dix épisodes, cette *Mistida* (affaire, tâche, but, objectif, convoitise, etc.) va assez loin dans la critique sociale. Il n'y a plus de vernis depuis longtemps sur les personnages : ils sont tombés dans la boite aux désillusions post-indépendantistes et maintenant c'est chacun pour soi dans une «volvocratie» *(sic)* où la corruption, qui n'est pas propre à la Guinée-Bissau, y fait néanmoins peut-être plus de mal qu'ailleurs.[48]

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[44] Following are the titles of each chapter/episode: I. Madjudho; II. O Tribunal da Redenção. III. Sem Sombra de Dúvida. IV. Timba. V. Mama Sabel. VI. Muntudu. VII. Djiba Mané. VIII. Yem-Yem. IX. Marrio. X. Kambansa.

[45] ―There is no control on earth … […] Each one of us does what he/she likes. Each one of us is stealing. […] But it is obvious!" [translation provided by the author]. Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 19.

[46] The Volvo became the symbol of power, since all members of the élite had a Volvo or had a chauffeur driving them around in a Volvo owned by the party or the Government.

[47] ―Independence has only brought «the national identification card and that of the only political party»." [translation provided by the author]. Guy Ossito Midiohouan. *L'idéologie dans la littérature négro-africaine d'expression française*. Paris: L'Harmattan, 1986. 208.

[48] ―In ten episodes, this *Mistida* (business dealing, task, goal, objective, envy, etc.), goes far beyond social criticism. After awhile, there is not much varnish left on the characters: they have fallen into the post-independence box of

Mistida is introduced by a splendid preface written by Chilean scholar Teresa Montenegro, a famous ethnographer and long-time resident of Guinea Bissau where she investigates Guinean Kirol and oral narrative. A researcher at the *Instituto Nacional de Estudos e Pesquisas da Guiné-Bissau* (INEP) (National Institute of Studies and Research on Guinea Bissau), Teresa Montenegro has collaborated with the French cultural services, particularly in translating traditional Guinean short stories; she has published in the journal *África*, and she is also the silent coauthor of a collection of many oral texts in Kriol.[49] It is no surprise, then, that Teresa Montenegro was chosen to introduce *Mistida* to the world, a work that not only has many references to Kriol, but it is also imbued with innumerous references to Guinean ethnography, particularly the human landscape.

For instance, Teresa Montenegro underscores the fact that each character, notwithstanding his or her distinct personality, succeeds in being in harmony with the rest of the other characters and, through them, the main theme of the novel: the abovementioned *mistida*. Actually, this *mistida* is, in its turn, composed of innumerous individual *mistidas*, which, collectively, try in their own way to ―safar a mistida" as they cross over into different realms. Teresa Montenegro brilliantly compares the ten episodes of the novel to ten pieces of jazz music, independent among themselves, yet united by a common denominator: the ever-present *mistida*:

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disillusions and from now on each one of them is found in a «volvocracie» or state of corruption, which is not proper to Guinea Bissau, nevertheless, it perhaps causes more evil here than in any other place on earth." [translation provided by the author]. René Pélissier. ―La chronique des livres sous la responsabilité de François Guichard." *Lusotopie* (1998): 521-548. 24.

[49] *'N sta li 'n sta la. Livro de Adivinhas*. Bolama: Cooperativa Domingos Badinca dos Trabalhadores da Imprensa [Nacional], 1979; *Jubai, Storias de Bolama e do Outro Mundo*. Bolama: Cooperativa Domingos Badinca dos Trabalhadores da Imprensa [Nacional], 1979; *Uori. Storia de Lama e Philosophia*. Bissau: Ku Si Mon Editora, 1995.

> […] os dez episódios que compõem *Mistida* evocam uma peça de jazz com muito swing em que cada intérprete de um instrumento executa de maneira pessoal e inconfundível um solo único baseado no tema central, a *mistida*, pegando nele e desenvolvendo uma nova melodia — a sua —, […] para depois retomar a progressão de acordes dramáticos que dá continuidade à peça: safar a *mistida*.[50]

Furthermore, Teresa Montenegro also points out, and rightly so, that contrary to most African traditions, the main characters in *Mistida* are not linked by family ties, bur rather, they are pulled together by individual choices, or better yet, by defeats and paths chosen for mere ―survival" reasons. In other words, their common denominator is the daily trajectory, external as well as internal, mainly the idiosyncrasies, the fears, and the different trips of the mind, not necessarily dreamlike, where the frontier between the real and the imagined is often indefinable and in constant change:

> Ligam-nos, sim, as rotas da sobrevivência, os acasos da guerra, os delírios megalómanos, as ternuras difíceis de entregar. Cá estão eles […] a dançarem o dia-a-dia longo que vai da desistência à força irresistível, numa viagem doida que sempre não faz mais do que começar.[51]

Mistida is therefore an urgent matter: ―Eis a proposta desassombrada de Sila, que nos coloca assim perante uma *Mistida* absolutamente inadiável."[52] Obviously, language plays a key role in the novel, not only in the Kriol words and expressions used, but also in other African

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[50] ―The ten episodes that make up *Mistida* evoke a piece of jazz music with a lot of swing whereby each music player executes, in his/her own unique and unmistakable way, a solo based on the central theme, the *mistida*, using it and transforming it into a new melody—his/her own—[…] and then continuing the progression of dramatic accords that give continuity to the piece: *safar a mistida*." [translation provided by the author]. Teresa Montenegro. ―Prefácio," in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 9.

[51] ―The routes of survival, the war casualties, the megalomaniac deliriums, and the sweet moments difficult to share tie [these episodes] together. Here they are […] dancing throughout the long day that goes from desistance to an irresistible strength, in a crazy journey that keeps on starting all over again." [translated by the author]. Teresa Montenegro. ―Prefácio", in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 10.

[52] ―Here is Sila's bold proposal, one that puts us in front of an absolutely *undelayable Mistida*." [translation provided by the author]. Teresa Montenegro. ―Prefácio," in Abdulai Sila. *Mistida*. Bissau: Ku Si Mon Editora, 1997. 9-12. 12.

languages native to Guinea Bissau, as in the case of Fula: e.g., Mandjudho and Mantchudho, names of two characters, the former meaning ―lost," while the latter gives the idea of someone who is ―enslaved" or simply a ―servant."

VII

Ondjaki, pseudonym of Ndalu de Almeida (1977-), member of the *União dos Escritores Angolanos* (UEA), (*Union of Angolan Writers*), (UAW), was born in Luanda in November 1977, two years after independence from Portugal. Graduated in Sociology from the I.S.C.T.E., in Lisbon, with a thesis on Sociology of Culture (2002), Ondjaki is a fiction writer, poet and Fine Arts artist: in other words, what he feels ―é um profundo respeito por todas as artes."[53] As many adolescents around the world, Ondjaki—a Kimbundu word meaning ―he who faces the challenges" or the ―warrior"—started very early to appreciate the arts, when he was still in Luanda, at the elementary and then in high school, showing a particular interest in the Fine Arts and literature, including theater, and film studies/filmmaking. In 1992, in Luanda, Ondjaki had his debut in the world of arts with a mime course. As for arts in general, Ondjaki says:

> Há coisas que se tocam, que se confrontam, que se provocam. A música provoca-me momentos literários, mas os filmes e as artes dos outros também. Gosto de estar com os poros abertos e sofrer pressões de todas as artes, e de vários mundos, individuais e colectivos…[54]

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[53] ―A profound respect for all the arts." [translation provided by the author]. Maria João Martins. ―Ondjaki. O que enfrenta os desafios". *Jornal de Letras* 21 de Julho – 3 de Agosto (2004): 16-17. 17.

[54] ―There are things which are touched, confronted, provoked. Music provokes in me literary moments, but movies and the arts made by others also do that. I like to be with my pores open and be pressured by all art forms, from different worlds, individual as well as collective […]." [translation provided by the author]. Gonçalo Mira. ―PR#1 – Ondjaki. Entrevista exclusiva com o escritor angolano". <http://www.ruadebaixo.com/artigo.php?seccao=visuaisEBarulhos&idNoticia=1055>. [information retrieved on August 12, 2009].

Cinema and filmmaking (including documentaries) are perhaps the two artistic means that interest Ondjaki the most. In 1988, he wrote the script for the documentary ―A Canoa,‖ (―The Canoe‖), though, unfortunately, due to an overall lack of funding, it was never produced. Also in 1988, this time in Lisbon, Ondjaki entered the theatrical school *Os Sátyros* (The Satyrs), taking part in the play ―O Futuro Está nos Ovos,‖ (―The Future is in the Eggs‖), which was later shown in Lisbon and in Seixal with the *Ostara Grupo*. In 2002, Ondjaki had a role in the play *Os Carnívoros* (The Carnivores), performed in Lisbon by the group *Miscutem*[55]. The following year, with the idea of creating a documentary on Angola and Angolan topics—linking past, present, and future—Ondjaki decided to enroll in a cinematography course, with a special emphasis on filmmaking techniques:

> Seria importante documentar uma série de coisas que já se passaram e outras que hão-de passar-se no domínio social e político de Angola. E os documentários são menos dispendiosos que os filmes, são mais acessíveis de serem produzidos. Espero pelo menos vir a fazer alguns documentários interessantes.[56]

Cinema, also defined as the ―outra forma de contar *estórias*,‖[57] thus appears to attract Ondjaki, particularly when it comes to record down, or rather, preserve people's oral traditions, recent or not-so-recent, as in the case of our ancestors: ―tenho quase uma obsessão pela fixação do património, neste caso o património oral, e o documentário serve plenamente esse objectivo.

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[55] Neologism and crasis for: *Me escutem*! (Please listen to me!).

[56] ―It would be important to document a series of things that have already occurred and other things which will happen in ever-day life as well as in the political life of Angola. And documentaries are less expensive than films; they can be produced more easily. I hope that in the future I can at least produce a few interesting documentaries.‖ [translation provided by the author]. Isaquiel Coti. ―Hei-de escrever enquanto fizer sentido‖. <http://www.uea-angola.org/destaque_entrevistas1.cfm?ID=282>. [information retrieved on August 12, 2009].

[57] ―The Other Form of Telling Stories.‖ [translation provided by the author]. Rita Pablo. ―Ondjaki. Um contador de estórias‖. *África Today* (Agosto, 2005): 132.

Guarda as pessoas ao longo do tempo."[58] Ondjaki also studied Film Studies in New York at the University of Columbia. Back in Lisbon, after two years of practice as an amateur, Ondjaki took a professional course of theatrical interpretation, and ─fez parte do grupo de teatro que ajudou a fundar na Brandoa, os *Sísifos*."[59] Always in Portugal, in 1996 Ondjaki took a course on creative writing with anthropologist Nuno Leitão, who taught him how to appreciate short stories, ─desde o Edgar Alan Poe aos irmãos Grimm,"[60] thus encouraging him to write his own stories. Leitão, later followed by renowned Angolan writers Ana Paula Tavares (1952-), and Pepetela (1941-), was instrumental in convincing Ondjaki to publish his first short-story collection, *Momentos de aqui* (*Moments from here*). However, Ondjaki felt a strong attraction for poetry, tragedy, and comedy. In other words, Ondjaki appreciated more the art of writing to other art forms. As for theater, Ondjaki states:

> «Em Lisboa, fiz teatro dois anos de teatro amador e um ano como profissional. Não me sentia muito confortável (tenho os meus receios e limitações que procuro trabalhar), mas a verdade é que me proporcionava a vivência de outras peles. O teatro tem um trabalho de palco, de sensibilidade, de distribuição cénica, de marcação, de respeito de *timings* e até de psicologia de cada um, que é extraordinariamente importante. Por outro lado, sinto que foi determinante para mim ser dirigido. Permitiu-me ganhar humildade, o que nem sempre existe no trabalho do escritor»[61].

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[58] ─I have almost an obsession for recording down traditions, in this case, oral tradition, and the documentary serves really well this purpose. It preserves people through time." [translation provided by the author]. Maria João Martins. ─Ondjaki. O que enfrenta os desafios". *Jornal de Letras* 21 de Julho – 3 de Agosto (2004): 16-17. 16.

[59] ─Was part of the theater group that helped in the creation of the *Sísfos* in Brandoa." [translation provided by the author]. Rita Pablo. ─Ondjaki. Um contador de estórias". *África Today* (Agosto, 2005): 132.

[60] ─From Edgar Alan Poe to the Grimm brothers." [translation provided by the author]. Maria João Martins. ─Ondjaki. O que enfrenta os desafios". *Jornal de Letras* 21 de Julho – 3 de Agosto (2004): 16-17. 17.

[61] ─In Lisbon, I did amateur theater for two years and a year at a professional level. I did not feel much at ease (I have my fears and limits which I am trying to overcome), but the truth is that theater gave me the chance of experiencing different lives. Theater has stage work, it makes you more sensitive to other people's needs, it is scene distribution, it is appointments, it is respect for timings, and it is also psychology, something extremely important. On the other hand, I feel that it was a determining factor for disciplining me. It made me humble, something which

Theater and painting are for Ondjaki parallel aspects to writing. Though he began writing when he was very young—most likely when he was between thirteen and fifteen years old—Ondjaki had his debut as an artist with two art shows: the ―Exposição Colectiva de Jovens Pintores,‖ (―Group Show of Young Painters‖), *Semana da Juventude 99*, (Youth Week 99), Lisbon, 1999, as well as the ―Do Inevitável,‖ (―Of the Inevitable‖), *Espaço Cenárius*, (Cenárius Space), Luanda, Angola, December 1999-January 2000. In the same year, Ondjaki had two additional art shows, this time in Brazil and in Angola: ―Pôr-do-Sonho,‖ (―Dream-Set‖), Salvador da Bahia, Brazil, November 2000, and Luanda, December 2000. Notwithstanding his fertile imagination, Ondjaki thinks that: ―as suas pinturas precisam de se desenvolver no que respeita à técnica.‖[62] However, after almost ten years, Ondjaki sees and feels his artistic talent in a different way: «A pintura está numa fase de maior adormecimento agora. Fiz algumas exposições, mas senti que me faltava técnica e tempo para a desenvolver».[63]

Eventually, it was literature that really became Ondjaki's true talent, ―taking over‖ his public as well as his private life. In 1993, Ondjaki created the short-lived *Nganza Times*, a non-official, satiric-comical journal.[64] In 2000, Ondjaki contributed to the anthology *Agua en el tercer milénio* (Water in the Third Millennium),[65] with eight poems, collectively titled ―Palavras desaguadas‖ (―Drained Words‖). In the same year Ondjaki published his first book of poetry *Actu Sanguíneu* (Bloody Act)—which received honorable mention at the literary prize *Prémio*

you seldom find in the work of a writer.‖ [translation provided by the author]. Maria João Martins. ―Ondjaki. O que enfrenta os desafios‖. *Jornal de Letras* 21 de Julho – 3 de Agosto (2004): 16-17. 16.

[62] ―His painting need to be developed more on the technical side.‖ [translation provided by the author]. Rita Pablo. ―Ondjaki. Um contador de *estórias*‖. *África Today* (Agosto, 2005): 132.

[63] ―Painting is at a dormant phase now. I had a few art shows, but I felt that I was missing techniques and time in order to develop them.‖ [translation provided by the author]. Maria João Martins. ―Ondjaki. O que enfrenta os desafios‖. *Jornal de Letras* 21 de Julho – 3 de Agosto (2004): 16-17. 16

[64] A total of six numbers.

[65] Ondjaki. ―Palavras desaguadas‖, in *Agua en el tercer milénio*. Ed. Ângela Togeiro. Brasília: Pilar e Bianchi, 2000.

António Jacinto—followed by the publication of ‖As respectivas cartas" (‖The Respective Letters"), part of the collection *Angola: A Festa e o Luto*[66] (Angola: The Party and the Mourning). Also in 2000, Ondjaki published in Angola *Bom Dia Camaradas*[67] (*Good Morning Comrades*).

In 2001, with ‖Cinco estórias" (‖Five Stories"), Ondjaki participated at the collection *Jovens Criadores 2000* (Young Creators 2000),[68] followed by the publication of his first short-story book: *Momentos de aqui* (Moments From Here), which received the 1999 national literature prize *Prémio PALOP de Literatura* (*Fundo Bibliográfico Europeu*) (PALOP Literature Prize, Bibliographic European Fund). The following year Ondjaki published a novel and a collection of poems, namely: *O assobiador: novela. Seguido de uma troca de cartas entre o autor e Ana Paula Tavares* (The Whistler: Novel. Followed by an Exchange of Letters Between the Author and Ana Paula Tavares), and *Há prendisajens com o xão. (O segredo húmido da lesma & outras descoisas)* (The Soil is Sticky. (The Humid Secret of the Slug & Other Un-Things). In 2003, in Angola, Ondjaki published *Ynari: a menina das cinco tranças*[69] *(*Ynari: The Girl with Five Braids), his first work exclusively dedicated to a juvenile audience. The following year Ondjaki published *Quantas madrugadas tem a noite* (How Many Dawns the Night Has), followed by the Angolan publication of the short-story collection *E se amanhã o medo* (And if Tomorrow Fear) which received the *Prémio Literário Sagrada Esperança* (Holy Hope Literary Prize), (Angola, 2004), and the *António Paulouro* prize (Portugal, 2005).[70] Always in 2004, Ondjaki wrote the script for the television miniseries ‖Sede de Viver" (‖Thirst

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[66] Ondjaki. ‖As respectivas cartas", in *Angola: A Festa e o Luto*. Eds. Adélia de Carvalho e Ismael Mateus: [Lisbon]: Edições Vega, 2000.
[67] The Portuguese edition was later published in 2003 by the Caminho Editora.
[68] Ondjaki. ‖Cinco estórias", in *Jovens Criadores 2000*. [Porto]: Edições Íman, 2001.
[69] The Portuguese edition with illustrations by Danuta Wojciechowska, was published in 2004 by the Caminho Editora.
[70] The Portuguese edition of *E se amanhã o medo* was published in 2005 by the Caminho Editora.

for Living"), (Angola, TPA). In 2005, he assisted in the production of the Brazilian movie "As cartas do domador" ("The Tamers' Letters"). Also in the same year, Ondjaki was director and editor of the two videos "Essa palavra Sonho" ("This Word Dream"), and "Faenas de Amor" ("Love Faenas"). On October 21, 2006, in Luanda, there was the premier of *Oxalá cresçam Pitangas – histórias de Luanda*, (Let's Hope that the Pitanga Cherries Grow — Stories from Luanda), co-produced with Kiluanje Liberdade (1976-), which was also shown in Lisbon at the famous *Culturgest* auditorium. This project "fala sobre Luanda numa perspectiva artística, meio abstracta, que contempla informações mais reais mas também poemas, prosa, música solta".[71]

The story revolves around ten main characters who, through the non-linear narration of their lives, eventually offer a daily portrait of Angolan reality, experimented and felt in the first person. The backdrop is Luanda, where happiness, poverty, despair/disillusion, and imagination are the only companions to these characters, interviewed/portrayed in their unique way of surviving, adapting themselves, and perhaps overcoming the almost insurmountable difficulties that face them on a daily basis.

Luanda, as most African capitals, particularly south of the Sahara, is a place of: "rapid changes and demographic explosion resulting from rural-urban migration, […] an extraordinary source of interesting stories."[72] Hence, in *Oxalá cresçam Pitangas – histórias de Luanda*, Luanda is more than a simple backdrop; within minutes the Angolan capital becomes the true protagonist of the documentary: through it, or rather, because of it, and for its benefit, the main characters periodically recreate their identities. From daybreak to sunset, in a city that never

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[71] "Talks about Luanda in an artistic perspective, half abstract, which contemplates more real information, but it also contains poems, prose, and music." Rita Pablo. "Ondjaki. Um contador de estórias". *África Today* (Agosto, 2005): 132.

[72] Françoise Pfaff. "African Cities as Cinematic Texts", in *Focus on African Films*. Ed. Françoise Pfaff. Bloomington: Indiana UP, 2004. 89-106. 89.

sleeps, or better yet, in a metropolis that cannot fall asleep, the ten characters adapt themselves to life as it happens. Actions, thoughts, and words are thus caught on camera in their spontaneity. In fact, local jargon and slang, as well as European Portuguese and Angolan Portuguese are constantly crisscrossing and mixing with each other in a skilful equilibrium, thus portraying people in a vast array of situations and needs.

In *Oxalá cresçam Pitangas – histórias de Luanda* action follows a controlled rhythm, accelerated or purposely delayed, but always contained within a local Angolan, or rather, Luandan framework. In this way, Ondjaki and Kiluanje Liberdade were very successful at (re)creating/explaining situations where the individual deals with the ―other,‖ with the city, and with his or her country, though, at the same time, never having to cease to narrate his or her *estória* (story). In this respect, *Oxalá cresçam Pitangas – histórias de Luanda* is a typical ―African‖ film/documentary, where the main focus is on the social aspect affecting or accompanying the personal sphere:

> Many African films deliberately explore a different style from European and Hollywood films. Scenes unfold at a measured pace, with the deliberation of storytelling or folktales. […] A recurrent theme in many of these films is the tension between self-assertion and group cohesion. […] African films focus on social problems, personal concerns and cultural issues you would never see in a Hollywood film or a nightly newscast.[73]

The urban and the rural, the informal and the formal, the brutal reality and the sweet hope for a better life accompany the imagination and the dream of these ten characters, as well as all

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[73] ―Viewing African Cinema: Six Pointers.‖ <http://www.newsreel.org/articles/pointers.htm>. [information retrieved on November 15, 2008].

Luandans, in their quest for happiness and economic wellbeing. Happiness and melancholy cohabit in the Angolan capital because of the very euphoria of its inhabitants, the only escape to the otherwise consequential madness and despair. Funerals and weddings, the former to mourn the death, the latter to celebrate a new life together, are occasions for happiness: in other words, we are celebrating life in all its forms. Fantasy, imagination, music, and, most of all, socializing are thus the main companions of these Luandans from daybreak to sundown, from birth to death; hence, the unusual happiness of Angolan funerals. The unreal, the dreamlike, and/or the utopian are perhaps the best tools used by African filmmakers in order to engage their viewers, particularly African viewers, and, at the same time, to open doors for more questions and doubts:

> African filmmakers and artists have marshaled the resources and power of imagination to construct symbolic worlds that mimic, comment on, and, at the same time, interrogate, subvert, and posit alternatives to the *status quo*.[74]

Ondjaki and Kiluanje Liberdade in *Oxalá Cresçam Pitangas — Histórias de Luanda* actually do this: they introduce situations, they question things, through the monologs and the dialogs with the main characters, all representing Luanda, Angola, and, of course, an entire continent. Ondjaki and Kiluanje Liberdade are thus portraying Luandan/Angolan reality: different generations, different experiences, different attitudes, and different lives, as well as different worries, desires, and expectations. The common denominator is hope, hope in the future, for a better future for all Angolans, mainly the young generation who, given its age and the vast array of opportunities, can actually change, and this time for the better, Angola. Hence,

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[74] Mbye B. Cham. ―Film Text and Context: Reweaving Africa's Social Fabric Through its Contemporary Cinema.‖ <http://www.newsreel.org/articles/context.htm>; reedited in <http://gamwriters.com/africa/gambia/post/2008/9/6/film-text-and-contextreweaving-africas-social-fabricthrough-its-contemporary-cinema>. [information retrieved on November 15, 2008].

the ―provocative" nature of Ondjaki's and Kiluanje Liberdade's work seems to suggest that—

now, more than ever—it is:

> […] time for a revolution in African film criticism. A revolution
> against the old, tired formulas deployed in justification of
> filmmaking practices that have not substantially changed in forty
> years. Time for new voices, a new paradigm, a new view—a new
> Aristotle to invent the poetics we need for today.[75]

Looking at the future, a better future, Angolan for all Angolans, *Oxalá Cresçam Pitangas — Histórias de Luanda* is therefore a multifaceted voyage, a navigation from the Luandan personal microcosm to the Angolan macrocosm: from the experience of ten characters and, through them, of the entire population, we are thus able to walk through the different streets and alleys of Luanda, listening to and observing different and captivating *estórias* of or about this mesmerizing city, once again, the true protagonist of all the *estórias*.

In *Oxalá cresçam Pitangas – histórias de Luanda* Ondjaki and Kiluanje Liberdade are able to transform their concerns about the social/sociopolitical problems into a brilliant aesthetic vision where the particular—the Luandan in his or her daily struggle for survival, and turning his or her dream into reality, no matter what—opens the doors to a modern Luanda, full of contradictions as well as potential, sadly still to be discovered and taken advantage of.

In other words, Ondjaki's and Kiluanje Liberdade's message appears to be that of asking a few innocent, though very difficult questions. What is Luanda's future? What's in store for all Luandans? Or rather, what kind of future do its inhabitants want or wish for? Will they be able to achieve it? Will it be possible to build a new city/a new country where everyone can be happy, thus being able to overcome all socioeconomic adversities, not to mention the obstacles set forth

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[75] Kenneth W. Harrow. *Postcolonial African Cinema. From Political Engagement to Postmodernism*. Bloomington: Indiana UP, 2007. xi.

by the political world? Will it be possible to return to a pre-civil war, pre-colonial era? Will it

be possible to return to or to recapture the ancient African values? *Oxalá Cresçam Pitangas —*

Histórias de Luanda, in its role as a documentary/interview/conversation with the People of

Luanda is the first step in order to meet the common citizen, seen against an urban and national

background.   This is one of Ondjaki's and Kiluanje Liberdade's main innovations in their

dealing with the issue:

> The socio-political commentary [ou documentário], the interrogations of cultural practices and customs, especially their exploitation and abuse for individual profit and the calls for a return to African ideals of unity and community resurface in some of the new films.[76]

If this were not possible—mainly because there is no perfect society where national

cohesion and equality among its citizens are the norm—will it be possible to be at least

optimistic while still suffering? Hence, the smiles, the happiness, and the good mood of many of

the characters interviewed as well as of the people with whom they interact on a daily basis.

The characters, their stories, or rather, their *estórias*, their memories and their experience,

positive as well as negative, open the doors for a new look at Luanda, an African city where—

notwithstanding the many problems—the willpower of its inhabitants, expressed unanimously

through their imagination, succeeds at fighting the inevitable suffering and the overall feeling of

impotence over the serious problems that this city faces on a daily basis. In this respect Luanda

is a typical African city: ―The African city thus contains a wealth of human experiences captured

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[76] Mbye B. Cham. ―Film Text and Context: Reweaving Africa's Social Fabric Through its Contemporary Cinema.‖ <http://www.newsreel.org/articles/context.htm>;   reedited   in <http://gamwriters.com/africa/gambia/post/2008/9/6/film-text-and-contextreweaving-africas-social-fabricthrough-its-contemporary-cinema>. [information retrieved on November 15, 2008].

by politically committed African cinematic creators as a microcosm of the dynamic historical and social forces that affect their nations as a whole."[77]

Ondjaki's and Kiluanje Liberdade's success is in having documented Luanda and Angolans through a particular lens: Angolans interviewing other Angolans, in their daily routine, listening to their *estórias*, their souls, their voices, their happiness, their sadness, their tears, their unhappiness with the socioeconomic situation, their despair, their anger, their dreams, their innermost desires, their ambitions. Through them Ondjaki and Kiluanje Liberdade started a friendship/special bond with Luanda so that we can all appreciate it notwithstanding its innumerous contradictions and idiosyncrasies, alas common to most African cities/geographical areas south of the Sahara:

> […] filming in African cities is logistically much easier than in remote areas; and inspiration—the African city, with rapid changes and demographic explosion from rural-urban migration, is an extraordinary source of interesting stories.[78]

Only in this case the Angolan *estórias* of these characters could in a sense transform, and this time for the better, the beautiful yet overpopulated Luanda. In other words, *Oxalá Cresçam Pitangas — Histórias de Luanda*, from the Luanda microcosm reaches the Angolan and pan-African macrocosm. Its mission, as well as that one found in many African films and documentaries produced during the last two decades, is thus multifaceted:

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[77] Françoise Pfaff. ―African Cities as Cinematic Texts", in *Focus on African Films*. Ed. Françoise Pfaff. Bloomington: Indiana UP, 2004. 89-106. 89.
[78] Françoise Pfaff. ―African Cities as Cinematic Texts", in *Focus on African Films*. Ed. Françoise Pfaff. Bloomington: Indiana UP, 2004. 89-106. 89.

1. African film is important in the communication of history, in the correction of past misrepresentations of history.
2. African film is important in writing back to Hollywood and back to misrepresentations of Africa in the mainstream media.
3. African film represents African society, African people, African culture.
4. African film should be the site for truth.
5. African film should be African.[79]

In their documentary Ondjaki and Kiluanje Liberdade reveal reality hidden behind Luandan's dreams and aspirations. Ten characters, ten voices speaking in harmony, pointing at different realities and problems, yet, united in their quest, in their constant search for a solution. In this case the two filmmakers should be considered as pioneers in presenting Luanda to the world—through the multiple voices of its citizens—as a real city, yet human, with personal and political conflicts, where politics and corruption go hand in hand. Politicians, in Africa as well as elsewhere around the world, are oblivious to the needs of their people. Hence, the frustrations, deceptions, and ambitions of many Angolans who have immense potential and an enormous capability of improving their lives as well as of changing their country. Angola: a country on the verge of the inevitable nothing, where the disproportioned urban growth of Luanda is a question that makes *Oxalá cresçam pitangas* a pioneer work in African film industry, as well as in Lusophone cinema. In their documentary Ondjaki and Kiluanje Liberdade follow along the lines of other African filmmakers in their quest for the right way of portraying their own Africa, their people, and their daily struggle for survival:

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[79] Kenneth W. Harrow. *Postcolonial African Cinema. From Political Engagement to Postmodernism*. Bloomington: Indiana UP, 2007. xi.

> […] recent African film criticism repeatedly asks the same questions […] what really happened and who gets to tell the real story; who really are these people, and what are their lives really like; what are the real problems to be faced and overcome today; how can we confront the real forces that keep our people subjugated or from developing, and so on.[80]

The main characters and, through them, all Luandans/Angolans, all aim at reaching a adequate level of life, an acceptable personal and professional development; hence, Ondjaki and Liberdade chose as their main characters young Angolans, since, due to their age and dreams, still in-the-making, they could talk with an open mind about their dreams, their ambitions, and their future plans.

The ten characters talk about their lives and how they succeed in making it in Luanda where: (i.) music accompanies the happiest as well as the saddest moments of their lives, (ii.) imagination is oftentimes the only escape to the inevitable personal defeat, and (iii.) as the mythical Phoenix, the personal/national identity is constantly forced to recreate itself in order not to be defeated in the basic, every-day struggle for survival. Imagination, mainly that one coming from young Luanda residents, is the antidote against the poison that tries to destroy happiness, life, and pleasure, perhaps the only way of feeling alive, hence, capable, or at least with the right, as human beings, to feel happy and being able to achieve one's goals. Ondjaki and Kiluanje Liberdade succeeded in accurately portraying Angolan reality, a reality that is often brutal, dramatic, bordering poverty and despair. Ondjaki's and Kiluanje Liberdade's talent thus reside in their aesthetic choices at depicting contemporary Angolan problems and needs: ―many

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[80] Kenneth W. Harrow. *Postcolonial African Cinema. From Political Engagement to Postmodernism*. Bloomington: Indiana UP, 2007. xiii.

contemporary African filmmakers participate actively in the affairs of society at all levels and are more overtly committed to the challenges of social and political reconstruction and renewal."[81]

In other words, the socioeconomic message contained in *Oxalá Cresçam Pitangas — Histórias de Luanda* makes Ondjaki and Kiluanje Liberdade two of the few African filmmakers of the last twenty-five years interested in renewing/revitalizing the image and the message on and about Africa in their works:

> These issues and many others about the narrative content, form, style, technique, and execution will continue to fuel much of the debate and commentary on the future of African cinema, and, surely, more informed analyses will emerge in the years to come.[82]

VIII

[…] legado de palavras, pátria é só a língua em que me digo.[83]

Of Swiss origins and a Portuguese national, Rui Manuel Correia Knopfli, (1932-1997), was born in Inhambane, was later educated in South Africa, and lived in Mozambique until 1975. Knopfli spent the rest of his life in London where, as of 1982, he worked as media advisor and cultural attaché for the Portuguese Embassy. Knopfli was a well-acclaimed journalist as well as a cinema and literary critic; above all, he was an outstanding poet of the Portuguese language.

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[81] Mbye B. Cham. ―Film Text and Context: Reweaving Africa's Social Fabric Through its Contemporary Cinema." <http://www.newsreel.org/articles/context.htm>; reedited in <http://gamwriters.com/africa/gambia/post/2008/9/6/film-text-and-contextreweaving-africas-social-fabricthrough-its-contemporary-cinema>. [information retrieved on November 15, 2008].

[82] Mbye B. Cham. ―African Cinema in the Nineties." *African Studies Quarterly* <http://web.africa.ufl.edu/asq/v2/v2i1a4.htm>. [information retrieved on November 15, 2008].

[83] ―[…] a legacy of words, my homeland is only the language which I speak." [translation provided by the author]. Rui Knopfli. *Memória Consentida. 20 Anos de Poesia. 1959/1979*. Lisbon: Imprensa Nacional, Casa da Moeda, 1982. 364.

While he lived in Mozambique, Knopfli was the director of the newspaper *A Tribuna* (*The Tribune*), he was the co-director—together with Grabato Dias,[84] (1933-1994)—of the *Artes e Letras* (*Arts and Letters*) section of the Portuguese newspaper *Tempo* (*Time*), as well as he was the cofounder and coeditor of the short-lived journal *Caliban* (1971-1972). Knopfli was a frequent contributor to numerous newspapers and journals, as in *Mensagem* (*Message*), *Itinerário* (*Itinerary*), *Capricórnio* (*Capricorn*), *Paralelo 20* (*Parallel 20*), and the aforementioned *Caliban*.

Rui Knopfli is one of the most important names in Mozambican letters and cultural life, at home as well as abroad. Together with Mozambican poet and literary critic Eugénio Lisboa[85] (1930-), Rui Knopfli contributed to many cultural activities and projects, as the abovementioned *A Tribuna* (*The Tribune*) and *A Voz de Moçambique* (*The Voice of Mozambique*), the latter a newspaper, based in Maputo, linked to the *Associação dos Naturais de Moçambique* (*Association of Mozambicans*), which had a literary supplement on ‒livros" (books), where works by Rui Knopfli, Rui Nogar[86] (1932-1994), José Craveirinha[87] (1922-2003), and Fonseca Amaral[88] (1928-1992) were regularly featured.

Though unique, original, and not completely part of any current literary style, Rui Knopfli's poetry is usually considered as a continuation ‒of the western lyrical tradition." As for his imagery, it definitively ‒represents African places;" yet, ‒Camões, Carlos Drummond de

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[84] Pseudonym of António Augusto Melo Lucena Quadros, though he also used two additional pennames: Frei Joannes Garabatus and Mutimati Barnabé João. Though Portuguese by birth, António Quadros lived many years in Mozambique. He was a famous and accomplished painter, architect, pedagogue, journalist, poet, and essay writer. He is also the author of a very famous mural in Maputo dedicated to the war for Mozambican Independence.

[85] Eugénio Lisboa also used the following pseudonyms: Armando Vieira de Sá, John Land, and Lapiro da Fonseca.

[86] Pseudonym of Francisco Rui Moniz Barreto.

[87] José João Craveirinha also used the following pseudonyms: Abílio Cossa, J. C., J. Cravo, José Cravo, Jesuíno Cravo, Mário Vieira, and Nuno Pessoa. In 1990, Craveirinha received the prestigious *Prémio Camões*, the highest literary award in the Portuguese language.

[88] Usual penname used by João da Costa Fonseca Amaral, a Portuguese who spent most of his life in Mozambique.

Andrade, Fernando Pessoa, and T. S. Eliot can well be used as references to an analysis of Knopfli's poetics."[89] In other words, Portuguese letters—represented by Portugal's greatest poet, Luís Vaz de Camões (ca. 1524-1580), and the *fin-du-siècle* Portuguese poet, literary critic, and writer, Fernando Pessoa (1888-1935)—as well as Brazil's most famous and influential poet of the 20th century, Carlos Drummond de Andrade (1902-1987), and the renowned American/British poet, playwright, and literary critic of all times, T. S. Eliot (1888-1965), all share with Rui Knopfli that overall feeling of discomfort, disquiet, and at times utter rupture with society. These are all signs of a great universal mind, one that transcends all ages and national, ethnic, racial, and linguistic boundaries:

> A sua pena cauterizava a mediocridade. Esteve no centro das grandes polémicas que amarelecem nas colunas dos jornais. A Rui Knopfli devemos a pioneira consciência crítica da literatura que se produzia desde os primórdios até à data da independência […] falo-vos, meus senhores, de um grande poeta moçambicano. Falo-vos de um mago da palavra. Um homem que soube sempre lutar contra o silêncio e escrever uma poesia que transcende as fronteiras de qualquer cidadania.[90]

In other words, his world is African, more specifically, Mozambican, and, at the same time, because of his multilayered background and interests, it is also cosmopolitan, portraying features that are Lusophone as well as western in a wider sense. Moreover, because of this diverse realism lived in the first person, Knopfli's ~~p~~oems reveal a contained and disenchanted

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[89] Plural Editores. *Our Country. Rui Knopfli.* <http://www.pluraleditores.co.mz/PLE04_ing.asp?area=3&ID=04>. [information retrieved on August 9, 2009].

[90] ~~H~~His pen would chastise mediocrity. He was at the center of the great controversies that filled the newspapers. We owe Rui Knopfli our first consciousness of literary criticism that was produced since the beginning to independence […] I am talking about, my dear gentlemen, of a great Mozambican poet. I am talking about a magician of the word. A man who always knew how to fight against silence and write a poem that transcends the boundaries of all nationalities." [translation provided by the author]. Nélson Saúte. ~~O~~ Escriba Acocorado." October 28, *Tempo* 1990.

feeling, facing a reality that is often aggressive."[91] It is not surprising, then, that his poetry has

been called ―dramatic" and ―harsh;" yet, incredibly fascinating, direct, and very thought

provocative:

> A poesia de Rui Knopfli é uma poesia dramática, de alusão
> maliciosa e de ritmos subtis, sinuosa e sedutora na sondagem dos
> fundões da psique, e deve ser lida sem prevenções de leituras
> anteriores, na omnímoda e indisfarçada complexidade do seu texto,
> com os ritualísticos vagares da iniciação indagadora, que neste
> estudo se propõe, num adiamento voluntário de formulações, num
> adiamento voluntário de formulações críticas genéricas,
> inevitavelmente prejudiciais à compreensão da obra deste
> fascinante poeta de língua portuguesa.[92]

Knopfli's disenchantment is perhaps what characterizes his works the most; it is the key

to understanding his resigned and indifferent passivity vis-à-vis the obstacles that face his

characters, his images, his ideas, and ultimately his thoughts. Knopfli's poetry is definitively not

a ―poesia de combate," (―guerrilla poetry"), as in the case of poetry in Guinea Bissau, but rather,

it is a ―poesia de reflexão," (―poetry of reflection"), of a quiet and well thought of response to the

issues at hand. The harsh metaphors found in Rui Knopfli's poems are actually a way for the

reader to ponder and to look for a solution, leaving behind the pain and the suffering of the

moment, since it would not do any good to dwell on it for a long time, no matter the atrocity that

might have triggered or caused them. Hence, his poetry is a message of hope for what lies

beyond in time and space. In a sense, it is a way of overcoming the past. The ethnic boundaries

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[91] Plural Editores. *Our Country*. *Rui Knopfli*. <http://www.pluraleditores.co.mz/PLE04_ing.asp?area=3&ID=04>. [information retrieved on August 9, 2009].

[92] ―Rui Knopfli's poetry is a dramatic poetry, of malicious allusions and subtle rhythms, sinuous and seductive as it explores the deepest parts of our psyche; hence, it should be read without any previous readings, in the omni-fashioned and undisguised complexity of its text; with ritualistic wanderings of initiation, herewith proposed, rejecting all formulas, freely rejecting all preconceived, generic notions of criticism, inevitably prejudicial to a full understanding of the work of this fascinating poet of the Portuguese language." [translation provided by the author]. Luís de Sousa Rebelo. ―A«Memória Consentida» de Rui Knopfli," in Rui Knopfli. *Memória consentida*. Lisbon: Casa da Moeda, 1982. 9-23. 23.

imposed by the ―others" did not stop him from crossing over to the other side, i.e., the African

side, a place where he felt more comfortable and at ease, despite his ―non African" race:

> Europeu, me dizem.
> Eivam-me de literatura e doutrina
> Europeias
> e europeu me chamam.
> Não sei se o que escrevo tem a raiz de algum
> pensamento europeu.
> É provável … Não. É certo,
> mas africano sou.
> Pulsa-me o coração ao ritmo dolente
> desta luz e deste quebranto.
> Trago no sangue uma amplidão
> de coordenadas geográficas e mar Índico.
> Rosas não me dizem nada,
> caso-me mais à agrura das micaias
> e ao silêncio longo e roxo das tardes
> com gritos de aves estranhas
> Chamais-me europeu? Pronto, calo-me.
> Mas dentro de mim há savanas de aridez
> e planuras sem fim
> com longos rios langues e sinuosos,
> uma fita de fumo vertical,
> um negro e uma viola estalando.[93]

The themes of dislocation, belonging and rejection, exile, language barrier(s), identity,

and Diaspora are thus some of the main points upon which Rui Knopfli's poems gravitate around:

the English language, represented by the often called ―Anglo-American culture," vs. Portuguese;

town vs. village; city vs. small town; Metropolis vs. city; urbanized South Africa (the small Paris

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[93] ―European, they tell me. They infect me with European literature and doctrine and they call me European. I do not know if what I write has its roots in any European thinking. It is possible … No. It is certain, but African is what I am. My heart beats to the mournful rhythm of this light and this exhaustion. I carry in my blood an amplitude of geographical coordinates and Indian Ocean. Roses mean nothing to me, I respond rather to the hardy *micaias* and the long purple silence of evenings punctuated by the calls of strange birds. You call me European? Okay, I'll shut up. But inside of me there are dry savannahs and plains with no end, with long sinuous rivers, a line of vertical smoke, a black man and a French guitar crackling." Rui Knopfli. ―Naturalidade," in *Memória Consentida. 20 Anos de Poesia. 1959/1979*. Lisbon: Imprensa Nacional, Casa da Moeda, 1982. 59. [translation provided by the author, partly based on the English version found in: Stefan Helgesson. ―Sing for Our Metropolis: Self, Place, and Media in the Poetry of Rui Knopfli and Wopko Jensma." *English in Africa* 33.1 (May 2006): 71-92. 77.

or the New York of Africa) vs. the not-so-urbanized and cosmopolitan Mozambique; and "skyscrapers like, long, frozen fingers of concrete" vs. man who, eventually, feels smaller by the minute.[94]

As a consequence his poetry is "characterized by a strong urban incidence" and, of course, of a feeling of not belonging, of not being integrated in the overall scheme imposed by the Anglo-American Metropolis. In other words, Rui Knopfli's poetry is "involved in an intense cosmopolitism, which, far from harmonizing his feelings, increases the felling of exile and, consequently, of dislocation."[95] Yet, there is that undeniable attraction towards the city, in this case Johannesburg, an ugly, "cold, big," unfriendly city where people, especially foreigners, white or black, feel ultimately unwelcomed, discriminated against, annihilated, and lost. A city that one loves to hate; a city that one loves, despite the fact of hating it:

> Reading Knopfli's poetry in Portuguese, both before and after his coming to England in 1975, one gets the impression that most of his cultural and literary models have to do with what he calls in one of his poems «the Anglo-Saxon cultural life». In fact, Anglo-American references and allusions, which may come from the world of literature, jazz, the movies and the arts, occupy most of the intertext of his poetry[96].

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[94] Rui Knopfli. *Memória consentida. 20 anos de poesia — 1959/1979*. 1979. Lisbon: Casa da Moeda, 1982. 391-393.
[95] Plural Editores. *Our Country*. *Rui Knopfli*. <http://www.pluraleditores.co.mz/PLE04_ing.asp?area=3&ID=04>. [information retrieved on August 9, 2009].
[96] Fernando J.B. Martinho. "The English Language in Rui Knopfli's Poetry," in Roger Bauer, and Douwe Fokkema, eds. *Proceedings of the 12ᵗʰ Congress of the International Comparative Literature Association/Actes du XIIe congrès de l'Association Internationale de Littérature Comparée*. Münich. 5 vols. Munich: Iudicium, 1990. 4: 77-82. 4: 81.

IX

> Portuguese is the vehicular language of the Revolution, in combat as well as in the schools and field hospitals. Portuguese will be the literary language of these peoples.[97]

Biology and ecology professor, ecologist with his own company, permanent consultant for environmental issues, as in the case of the agency *Avaliações de Impacto Ambiental, IMPACTO, Lda*. (Evaluations of Environmental Impact, IMPACTO, Limited), at times political activist, art lover, and writer Mia Couto—penname of António Emílio Leite Couto—was born in Beira, in the province of Sofala, south-central Mozambique, not far from a black Mozambican neighborhood. It was here that he first learned Sena, while playing with young Mozambican children, and where he first listened to old folktales and legends, thus developing a taste for ancient oral literature and lore. During his early childhood, António was very fond of cats, to the point that he thought of himself as being a cat; hence, the adoption of the penname Mia.[98]

Schooled in Beira (1961-1971), Couto moved to the then Mozambican capital Lourenço Marques, later renamed Maputo (1976), where he attended the first two years of the Curso de Medicina (School of Medicine), (1971-1974), eventually graduating in Biology (1989). While living at the university dormitory, Couto witnessed firsthand the many students' revolts against the colonial regime which was extremely draconian towards the native population, especially when it came to social and egalitarian demands as self-determination of the Mozambican people. Among the organized students' groups there were the pro-Soviet *Associação Académica* (Academic Association), and the clandestine LEMA (*Liga dos Estudantes Moçambicanos*), (League of Mozambican Students).

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[97] António, Mário, Maria de Lourdes Cortez, António Aurélio Gonçalves, Rui Knopfli, Alfredo Margarido, Eugénio Lisboa, Manuel Ferreira, and Willfred Feuser. ―The Future of Portuguese as a Literary Language in Africa." *Kiabara* 1.1 (1978): 64-86. 83.

[98] ―Itmeows," third-person singular, present tense of the Portuguese onomatopoeic verb ―miar" (to meow).

A biologist and former professor of ecology at the Universidade Eduardo Mondlane in Maputo, Couto is better known as a cultural innovator, mainly for his contributions to the Portuguese language, as in the case of the many neologisms that he created, thus differentiating the Mozambican Portuguese Standard from its Portuguese and Brazilian counterparts, as well as the other Portuguese Standards of Lusophone Africa, East Timor, and Macau. With the highest record of works published by a Mozambican within the last twenty years, Couto is also the Mozambican author more translated and more widely known abroad, as well as one of the foreign authors with the highest record of books sold in Portugal, with a total of more than five hundred thousand copies bought.

Labeled as a "second-class white" until Mozambican independence,[99] Couto considers himself, instead, a "cultural mulatto," and a person "without a race"—since he is "a race by himself," not "representing the white race"[100] at all—nor is he "a privileged white,"[101] or a member of "a more privileged class,"[102] though he was "schooled in a European educational system," thus "situated at a crossroads of races and cultures,"[103] as observed by some: "minha raça sou eu mesmo. A pessoa é uma humanidade individual. Cada homem é uma raça."[104] Accordingly, Couto should instead simply and more precisely be classified as a Mozambican author of short stories, poems, chronicles, and fiction. However, being a biologist and ecologist

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[99] "30 Anos de Independência. No passado, o futuro era melhor?" *Traverse. Uma plataforma de discussão da Agência Suíça para Desenvolvimento e Cooperação (Cooperação Suíça)* (Grupo de Acção pelos Serviços de Interesse Geral) (16 June, 2005). <http://resistir.info/africa/mia_couto_suica.html>. [Information retrieved: August 12, 2009].

[100] Mia Couto interviewed by Marilene Felinto for the "Mundo" section of the *Folha de São Paulo* (November 21, 2002): 5-8. 5.

[101] Pushpa Naidu Parek, and Siga Fatima Jagne, eds. *Postcolonial African Writers: A Bio-bibliographical Critical Source Book*. Westport, CT: Greenwood P, 1998. xxviii.

[102] Jared Banks. "Mia Couto (1957-)," in *Postcolonial African Writers: A Bio-bibliographical Critical Source Book*, eds. Pushpa Naidu Parekh, and Siga Fatima Jagne. Westport, CT: Greenwood P, 1998. 110-117. 115.

[103] Robin Fiddian, ed. *Postcolonial Perspectives on the Cultures of Latin America and Lusophone Africa*. Liverpool: Liverpool UP, 2000. 21.

[104] "My race is myself. A person is an individual humanity. Every man is a race." [translation provided by the author]. Mia Couto. *Cada homem é uma raça*. Lisbon: Caminho, 1990. 5.

also influenced his writing, since ―a escolha que eu fiz para ser biólogo foi uma opção para me aproximar de um mundo, um universo em relação ao qual eu não sei que não é uma disciplina, é uma indisciplina.‖[105] Biology and ecology in a way helped Couto to look at himself as ―uma espécie de prolongamento da ficção; [isso] ajuda-me a ter uma relação com as plantas, com os bichos; tem que encontrar uma língua para falar, para falar com eles. E, por outro lado, também não fico confinado a um emprego que me obriga a estar na cidade.‖[106]

Biology for Couto offers a few certainties; for this reason he nicknamed it ―uma indisciplina,‖ or rather, ―an indiscipline,‖ since with this science of life and all its manifestations we are almost always at a loss; hence, the need of finding or inventing new ―languages.‖ As an ecologist, Couto finds ways of helping families that live in the forests of the dune areas along the Mozambican coastline. He does so by teaching them to look for help from the natural resources that they have around them and not to wait for help from the city, i.e., the government as well as any other institution or foreign organization. That is the reason why Couto lives ―grande parte do tempo nessa floresta,‖[107] thus avoiding ―propositadamente a cidade,‖[108] though obviously Couto has to cross these borders on a regular basis. Being with people and away from an urban

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[105] ―The choice that I made when I decided that I wanted to be a biologist was an option of getting closer to a world, a universe which I know it is not a subject matter, but rather, an indiscipline.‖ [translation provided by the author]. Mia Couto interviewed by Manuela Paulo. Episode 20 of *Ora Viva! Projecto Língua Viva – 2º Nível*. Sixty, thirty-minute episodes of language instruction, Intermediate Portuguese, and Lusophone Cultures. RTP, Rádio Televisão Portuguesa (Portuguese National Radio and Television Station), 2002, interview aired on RTP I (Rádio Televisão Portuguesa Internacional) (Portuguese National and Television Station, International Channel), on February, 13, 2005.

[106] ―A kind of prolongation of fiction; [it] helps me in keeping a relationship with the plants, the animals; it has to find a language to communicate, to communicate with them. And, on the other hand, I thus do not find myself confined to a job that forces me to stay in the city.‖ Mia Couto interviewed by Manuela Paulo. Episode 20 of *Ora Viva! Projecto Língua Viva – 2º Nível*. Sixty, thirty-minute episodes of language instruction, Intermediate Portuguese, and Lusophone Cultures. RTP, Rádio Televisão Portuguesa (Portuguese National Radio and Television Station), 2002, interview aired on RTP I (Rádio Televisão Portuguesa Internacional) (Portuguese National and Television Station, International Channel), on February, 13, 2005.

[107] ―The majority of the time in this forest.‖ [translation provided by the author].

[108] ―Purportedly the city.‖ [translation provided by the author]. Mia Couto interviewed by CITI (Centro de Investigação para Tecnologia Interactivas, Universidade Nova de Lisboa/Interactive Technologies Research Center, Lisbon, Portugal) <www.citi.pt/cultura/literatura/romance/mia_couto/aaa27.html>. [information retrieved on August 12, 2009].

environment, then, he can find myths, legends, and beliefs, all intertwined with nature: "Eu estou, trabalho no mato, eu trabalho lá onde as próprias pessoas têm outras histórias para contar e contam-nos de uma maneira que, para mim, são um elemento, são um núcleo de sugestões muito rico."[109]

Mozambican flora and fauna, as well as "the elderly people's ancestral knowledge of the spirits that dwell in threes and plants,"[110] help him recreate not only a past but also, and more importantly, aid Couto in the creation of a new national identity where past and future meet now in the present; hence, his choice of words and expressions to better represent Mozambique and the Mozambican variant of the Portuguese language. In order to do so, Couto has to recapture on paper what he saw and heard around himself. He had to give form and shape to "abstract" concepts, yet very real, because lived in the first-person by an entire nation:

> Mediador, o contista repõe na língua a «anima» necessária à vivificação dessa linguagem ouvida. De aí o constante processo de concretização do abstracto, de transformação verbal dos nomes, conferindo-lhe o dinamismo necessário e a força de conversão espiritual dos acontecimentos.[111]

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[109] "I live and work in the bush, I work where people have other stories to tell and they tell them in a way that, for me, they are an element, a nucleus of ideas very rich indeed." [translation provided by the author]. Mia Couto interviewed by Manuela Paulo. Episode 20 of *Ora Viva! Projecto Língua Viva – 2º Nível*. Sixty, thirty-minute episodes of language instruction, Intermediate Portuguese, and Lusophone Cultures. RTP, Rádio Televisão Portuguesa (Portuguese National Radio and Television Station), 2002, interview aired on RTP I (Rádio Televisão Portuguesa Internacional) (Portuguese National and Television Station, International Channel), on February, 13, 2005.

[110] Andrés Xosé Salter Iglesias. "Translating Mia Couto: A Particular View of Portuguese in Mozambique," in *Less Translated Languages*. Eds. Albert Branchadell, and Lovell Margaret West. Amsterdam: John Benjamins, 2004. 177-187. 177-178.

[111] "Mediator, the narrator puts back in the language the necessary «anima» [soul] for the vivification of this heard language. Hence, the constant process of concretization of the abstract, of the verbal transformation of the names, giving it the necessary dynamism and the power of spiritual conversion of what is happening." [translation provided by the author]. Ana Mafalda Leite. "A Sagração do Profano. Reflexões sobre a escrita de três autores moçambicanos: Mia Couto, Rui Knopfli e José Craveirinha." *Vértice: Revista de Cultura e Arte* 55 (July-August, 1993): 37-41. 38.

In 1969, at the age of fourteen, Couto published his first poems in *Lume Florindo na Forja* (Flame Growing in the Forge), edited by Orlando Oliveira Mendes. Though his poems, as well as those published by other writers, were not marked as to denote their authorship, they nevertheless represented the beginning of his literary career which eventually led him to prose and fiction writing. On the other hand, Couto still feels an unbreakable link with poetry: "Nunca abandonei a poesia. Não se deixa a poesia se se é realmente poeta. Escrevo em prosa mas por via da poesia."[112] For Couto journalism was a "good school" which gave him ample opportunities to practice writing and to travel within Mozambique, two of his great passions. Journalism and nature, the latter including people and their environment, are in fact the resource center of his writing experience, one which has evolved into a unique style and message.

When asked about Mozambican writing, on more than one occasion Couto has asserted that, though present in his country, he is not aware of the existence of a true Mozambican literature. Couto's idea of a national literature is dynamic, or rather, it encompasses not only authors, but an entire apparatus, such as: "pessoas lendo, discutindo, vivendo esta literatura, em bibliotecas, casas de leituras, que se estude, que se critique esta literatura. Isto é quase ausente em Moçambique."[113] Lacking this, each author is then a literary universe on his or her own with no ties with the rest of the population. Therefore, for now, Couto sees traces of a few national

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[112] "I never abandoned poetry. You don't leave poetry if you are truly a poet. I write in prose but through poetry." [translation provided by the author]. Mia Couto interviewed by CITI (Centro de Investigação para Tecnologia Interactivas, Universidade Nova de Lisboa/Interactive Technologies Research Center, Lisbon, Portugal) <www.citi.pt/cultura/literatura/romance/mia_couto/aaa27.html>. [information retrieved on August 12, 2009].

[113] "People reading, discussing, living this literature, in libraries, cafés; a literature that it is studied and critiqued. This is what it is missing in Mozambique." [translation provided by the author]. Mia Couto interviewed by *Jornal do Brasil* 1998. 3.

literatures in Mozambique, as the one written in Shona, Makonde, and Macua,[114] as well a literature written in Mozambican Portuguese, to which he proudly belongs.

Before Mozambican independence, Couto almost always tried to comply with the directives of the FRELIMO. In fact, a few days before the *Revolução dos Cravos*,[115] Couto received a letter in which he was asked to ―temporarily‖ abandon his studies of medicine and begin his career as a journalist/reporter; it ended up being a twelve-year absence from his academic career.

Given the lack of trained writers, Couto was desperately needed to disseminate news and publicize the political agenda of the party. He thus started writing for *A Tribuna* (The Tribune) as an ―infiltrado,‖ (―infiltrated‖), a spy, though his ―mission‖ was somewhat thwarted by the fact that the newspaper was sympathetic with the cause of the FRELIMO.

Together with Rui Knopfli, Couto managed to change things at *A Tribuna*, particularly in the way news and information in general were reported. When the newspaper was destroyed by the conservative forces, Couto started working for the *Agência de Informação Nacional* (National Information Agency), soon becoming its director (1976-1979). He later worked for the weekly periodicals *Tempo* (Time), (1979-1981), where most of his poems appeared, and *Domingo* (Sunday), as well as the newspaper *Jornal de Notícias* (News), (1981-1985). Though

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[114] Ignácio Cabria, ―*Cada hombre és una raza*: entrevista a Mia Couto.‖ *Quimera: Revista de Literatura* 112-114 (October 1992): 71-74. 73.

[115] On April 25, 1974, also known as the *Dia da Revolução dos Cravos* (Day of the Revolution of the Carnations), the Portuguese army finally and peacefully restored democracy in Portugal; soon after, independence was granted to the colonies in Africa (East Timor was invaded by Indonesia on December 7, 1975, only to obtain its freedom on May 20, 2002; Macao returned to China on December 19, 1999). The enclave of São João Baptista de Ajudá was seized by Benin in 1961; Goa, Damão, and Diu were unilaterally annexed by the Indian Union in December 1961. As for Mozambique, the struggle for autonomy began in 1961, inspired by Tanganyika's independence from the United Kingdom (in April 1964, Tanganyika and Zanzibar united to form Tanzania). Soon after the FRELIMO (*Frente de Libertação de Moçambique*, Mozambican Liberation Front) was formed (1964)—under the leadership of Eduardo Mondlane (1920-1969)—thus starting the guerrilla movement against the colonial forces; on 25 July, 1975, Mozambique finally gained independence.

officially not any longer a journalist, Couto maintains a loose collaboration with newspapers—as in the case of the weekly entry ―Queixatório,‖ (neologism for Complaint Column) in the abovementioned newspaper *Domingo*—journals, magazines, theaters, television, radio stations, and web sites, in Mozambique as well as abroad.

Couto's poems ―Quero‖ and ―Ilha do Ibo‖ appeared in volume three of *Poesia de Combate* (1977), a small, three-volume anthology of more than one hundred bourgeoning Mozambican poets who wrote before, during, and after the colonial war against Portugal.

Though his first poems have appeared in Mozambican magazines since he was fourteen—as in the collection *A palavra é lume aceso* (The Word is a Lit Flame, 1980), from the magazine *Tempo*—Couto published his first book of poems, *Raiz de orvalho* (Root of Dew, 1983), edited by the Associação de Escritores Moçambicanos (Association of Mozambican Writers), when he was twenty-eight. Three years later Couto wrote the short story collection *Vozes Anoitecidas* (Sleepy Voices, 1986; translated as *Voices Made Night*, 1990); first published in Mozambique, it was later released in Portugal, Italy, and the English-speaking countries receiving wide critical praise. Most of the fourteen stories contained in this compilation have also been adapted for radio and stage production. As stated in an interview, Couto usually returns to his childhood in order to recall and recast what he had seen and/or what he was told into a new story, as in the case of the *Vozes Anoitecidas*, since for him these stories came from the other side of the world and, in their journey to Mozambique had mysteriously lost something, hence their sleepy character.[116] Mia's border is thus the frontier between Mozambican past and present:

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[116] Ignácio Cabria, ―*Cada hombre és una raza*: entrevista a Mia Couto.‖ *Quimera: Revista de Literatura* 112-114 (October 1992): 71-74. 72.

> Estas estórias desadormeceram em mim sempre a partir de qualquer coisa acontecida de verdade mas que me foi contada como se tivesse ocorrido na outra margem do mundo. Na travessia dessa fronteira de sombra escutei vozes que vazavam o Sol.[117]

Two years later another short-story collection, *Cronicando* (Couto's neologism for ―Writing about Chronicles,‖ 1988) appeared, based on the author's regular ―Cronicando‖ column in the Mozambican newspaper *Jornal de Notícias*, during his 1981-1985 tenure. These forty-nine short stories are small themes that deal with people and their daily lives where ―se forja a moçambicanidade,‖ (*Mozambiqueness* is forged,‖), while trying to ―ir à outra margem,‖ (―reach the other side‖).[118]

Couto's second book, *Cada homem é uma raça: estórias*[119] (1990; translated as *Every Man is a Race*, 1994), in a sense, is a continuation of *Vozes Anoitecidas*, especially when it comes to subject matter and the linguistic approach used. Here Couto went a step further: he deconstructed and claimed the Portuguese language as his, or rather, belonging to the entire Mozambican nation and its people. Furthermore, and closely linked to the concept of language, there is also the idea or the ―problem‖ of race, with its concomitant search of national, class, and ethnic identity.

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[117] ―These stories were written by me based on something that has truly happened but that it was narrated to me as if it had occurred on the other side of the world. Crossing this boundary of shadow I heard voices that drained away the sun.‖ [translation provided by the author]. Mia Couto. *Vozes anoitecidas*. Lisbon: Caminho, 1986. 19.

[118] Mia Couto. *Cronicando*. Maputo: Edições Notícias, 1988. 9.

[119] *Estória*: an Old Portuguese word for ―story‖ or ―popular/traditional story,‖ as opposed to *história*, ―history/historical account,‖ now resumed to mark the difference between ―history‖ and ―story‖ since Modern Standard Portuguese only has *história* for both meanings.

―Princesa Russa," part of the short story collection *Cada homem é uma raça: estórias*, is a tale set in the nineteenth century within the historical timeframe of the discovery and exploration of gold in Manica, the province west of Sofala, bordering Zimbabwe:

> The original story opens with an epigraph from a Portuguese government report of 1946 on the Manica gold-fields to the effect that, thanks to wild rumours of a strike, all attempts were being made by entrepreneurs not so much to extract the gold, but to exploit those who came in search of it.[120]

In fact, the gold rush led to this part of Mozambique many new and hitherto unexpected immigrants, such as Germans, Russians, Polish, and other Europeans. Using this historical event as a springboard, Couto imagined the story of a gold miner who worked in a mine that belonged to a Russian immigrant family and whose humble origins did not allow him to court their daughter, ―the princess."

Couto's first novel, *Terra Sonâmbula*, uses as a backdrop the Mozambican civil war (1975-1991), where the characters and their lives are portrayed with a strong and brutal realism, where life and death play cat and mouse. Tuahir, an old man, and Muidinga, a boy, are walking, running away from the war. Along the road, they find an old bus destroyed by fire but good enough to make it their temporary shelter. In an old suitcase young Muidinga finds eleven note pads which contain the story of another young lad, Kindzu. As in Scheherazade's entwined stories within the story, *Terra Sonâmbula* now becomes the story of Kindzu read by Muidinga as he untwines the vicissitudes of his life. Kindzu's eleven notebooks are a journey through his short life before and during the civil war. The story within a story ends as it had started, on the

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[120] Mia Couto. ―The Russian Princess." trans. Luís Rafael. *Picador Book of African Stories*, ed. Stephen Gray. London: Picador, 2000. 213-223. 213.

road, with the death of Kindzu: ―Então, as letras, uma por uma, se vão convertendo em grãos de areia e, aos poucos, todos meus escritos se vão transformando em páginas de terra."[121]

In the short story collection *Cada Homem é uma raça* Couto continues what he had started in *Vozes anoitecidas*: he recreates the Portuguese language through poetry. This phenomenon of restructuring the language is akin to that lived by many Mozambicans (nearly 80%) who speak Portuguese as a Second Language. As they master the Portuguese language they are also remodeling it, they are appropriating it and subsequently recreating it so that it can fit and better suit their reality, their feelings, and their emotions, in a word, their land and their souls: ―Porque até certa altura até tínhamos vergonha de falar a língua do colonizador, a língua dos mais pobres mostrando que essa língua era rica e brilhava quando era cantada."[122] Couto is thus writing in this kind of hybrid Portuguese for them, to educate his people and, at the same time, to make them aware of the greatness of their linguistic heritage, even if it changes the standard norms imposed by European and Brazilian Portuguese, to this date, the only two accepted linguistic variants of Portuguese. Couto's villages then, despite their size and location, on ―the border of the centuries," are yet places where an identity is being forged, a truly Mozambican identity, where language and customs merge into one:

> Lá ao fundo, as pequenas casas já acendiam suas luzinhas. Sem que outro sonho lhe sobrasse, a aldeia se fabulava, à margem dos séculos, para além da última Estrada.[123]

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[121] ―Therefore, the letters, one by one, are gradually transforming themselves into grains of sand and, slowly, my writings are transforming themselves into pages of land." [translation provided by the author]. Mia Couto. *Terra Sonâmbula*. Lisbon: Caminho, 1992. 218.

[122] ―Because up to a certain point we were ashamed of speaking the language of the colonizer, the language of the poor showing that this language was rich and that it shined when we sang." [translation provided by the author]. Mia Couto interviewed by Marilene Felinto for the ―Mundo" section of the *Folha de São Paulo* (November 21, 2002): 5-8. 8.

[123] ―There, back there, the small houses already lit their lights. With no dream to spare, people in the small village spoke, on the border of the centuries, beyond the last street." [translation provided by the author]. Mia Couto. *Cada homem é uma raça*. Lisbon: Caminho, 1990. 140.

Most definitely, Couto is not writing for an élite, even if most Mozambicans are still learning how to read and write in Portuguese. Set in Mozambique, these eighteen short stories thus delve into the legacy of Portuguese colonial rule and its aftermath: a senseless civil war that would end up destroying a burgeoning nation and its potential.

A Varanda do Frangipani (The Balcony of the Frangipani, 1996) was well received by critics as well as the general public. It is a novel where various narratives occur at the same time, since the characters are also narrators of their own story, in Portuguese *estória*. Their own *estórias* are thus intertwined with the main story, or rather, the murder of the director of an old age home, a former Portuguese fortress, Forte São Nicolau, only accessible by sea, since the roads were mined because of the civil war. This is the main focus of the account, since the entire action centers around finding the culprit: from Maputo Izidine, the police commissioner, is sent to unravel the mystery in seven days. Given the historical background of the novel, arms smuggling and the Mozambican civil war are the underlining themes: ―O culpado que você procura, caro Izidine, não é uma pessoa. É a Guerra. Todas as culpas são da guerra.‖[124]

Couto's short-story collections, known as *estórias*, such as *A Varanda do Frangipani*, *Vozes anoitecidas* and *Cada homem é uma raça* are counterbalanced by his *crónicas*, or rather, chronicles, small narratives told by newspaper columnists that have previously appeared in newspapers, periodicals, and/or magazines.

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[124] ―The culprit that you are looking for, my dear Izidine, is not a person. It is the war. War should be blamed for everything.‖ [translation provided by the author]. Mia Couto. *A Varanda do Frangipani*. Lisbon: Caminho, 1996. 127.

Couto's style is new and fresh in Lusophone letters, thus departing from the ―documentary approach" of most African literary productions since independence.[125] Putting it in more whimsical terms, Couto ―writes for the simple pleasure of disorganising the language."[126] Instead, Couto introduces his readers to a new series of linguistic expressions and terminology—oftentimes intertwined with lexical neologisms, local/regional expressions, and etyma that stem from the native languages of Mozambique—which he infuses into the traditional African lore. These indigenous Mozambican words belong to ―the pre-existing lexical substratum, which is incorporated into Portuguese in order to designate realities that are unknown (or not) in the old metropolis [Standard Continental Portuguese]; in other words, that which, adequately or not, has come to be known as *exoticisms*."[127] For the mere fact of being invented on the spot, the ―new" hybrid words are thus innumerous and unlimited, given the wide range of combinations and meanings available. It is no surprise, then, that through this linguistic process, Couto considers Portuguese as a local language, an African language in its own right, just like Afrikaans, Arabic, French, and English were ―appropriated" and are now considered, felt, and lived by most Africans as Africans languages, capable of expressing their ―African" identity/identities.[128]

Though not new within the Lusophone world—as in the case of Brazilian authors João Guimarães Rosa (1908-1967), João Cabral de Melo Neto (1920-1999), Manoel Wenceslau Leite

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[125] Stephen Gray. ―Mia Couto: No Open and Shut Case." *Mail and Guardian Book Week* Supplement to *The Weekly Mail and Guardian* (August 27-September 2, 1993): 5-9. 5.

[126] Andrés Xosé Salter Iglesias. ―Translating Mia Couto: A Particular View of Portuguese in Mozambique," in *Less Translated Languages*. Eds. Albert Branchadell, and Lovell Margaret West. Amsterdam: John Benjamins, 2004. 177-187. 177.

[127] Andrés Xosé Salter Iglesias. ―Translating Mia Couto: A Particular View of Portuguese in Mozambique," in *Less Translated Languages*. Eds. Albert Branchadell, and Lovell Margaret West. Amsterdam: John Benjamins, 2004. 177-187. 178.

[128] Among the autochthonous languages of Mozambique worth mentioning are: Makua, the most widely spoken, Chinianja, Chope, Makonde, Ronga, Sena, Shona, Swahili, and Tsonga.

de Barros (1916-), Graciliano Ramos (1892-1963), or Jorge Amado (1912-2001), Mozambican author José Craveirinha (1922-2003), universally acclaimed as the father of Mozambican letters, and Angolan author Luandino Vieira, aka, José Vieira Mateus da Graça (1935-)—this phenomenon acquires new dimensions with Couto: this ―new‖ language, or rather, ―creolized‖ amalgam born of the supposedly random, but well thought of, combination of Portuguese terms with African (Mozambican) words, creates a marvelous, magical, and/or incredible aura. Yet, it all contrasts with the simple life of his characters who seem to be *abensonhados*, that is, ―well dreamt,‖ to use one of Couto's best neologisms. Oftentimes, in order to convey this mystical sense, Couto reverses the sentence structure, thus mirroring the spoken vernacular and through it, the traditional societies of pre-colonial Mozambique.[129]

Undeniably, José Craveirinha and Luandino Vieira had some influence on Couto's linguistic approach to literature—the former using many Ronga words, the latter introducing just as many Kimbundu words into his works—as Couto himself admitted in a few interviews;[130] whereas the alleged Brazilian influence on Couto, at least in the beginning, is purely coincidental, since during most of modern Mozambican history (colonial, to some degree, and particularly post-colonial) Brazilian works in Mozambique were very hard or virtually impossible to find. During the last decades of the twentieth century, with the end of the civil war, Mozambicans became more and more acquainted with other writers from the Portuguese-speaking world, Brazil as well as the rest of Lusophone Africa, especially Angola. Therefore, Couto's linguistic outcomes are purely in response to the natural and spontaneous needs of turning the Portuguese language into an African language, or rather, a language lived by his people, something that he

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[129] Portuguese presence in Mozambique dates back to 1497.
[130] Mia Couto interviewed by Marilene Felinto for the ―Mundo‖ section of the *Folha de São Paulo* (November 21, 2002): 5-8. 7.

has observed from the Mozambicans themselves: ―eu já queria fazer isto, porque já estava contaminado primeiro por este processo que não é literário, é um processo social das pessoas que vêm de outra cultura, pegam o português, renovam aquilo, tornam a coisa plástica e fazem do português o que querem. É um processo muito livre aqui.‖[131]

The myriad of words and expressions introduced by Couto are thus found only at the level of the unimaginable, where the oral and aural traditions of his Africa, of the Africa that he knows and lives, are then written down, in a sense, rewritten, filled with that metaphysical charge that only ancient cultures can transmit. Through his words, then, Mozambican customs and beliefs are reshaped in order to convey reality, as in the passage: ―A árvore era o lugar de milagre. Então, desci do meu corpo, toquei a cinza e ela se converteu em pétala. Remexi a réstia do tronco e a seiva refluiu, como sémen da terra. A cada gesto meu o frangipani renascia.‖[132]

Couto welcomes oral traditions, to a degree that he lets them take over his writing, changing it into something completely new, even if the end result is a type of Portuguese different from the norm, i.e., Standard Modern Portuguese, European as well as Brazilian. When this occurs, he is aware of these unique linguistic deviations, since he knows that they can and will bring ―beleza,‖ or rather, ―beauty,‖ to the overall aesthetic of the novel: ―beleza, mostrar um pouco o que é a possibilidade de alguém fazer uma língua sua. De criar a partir da desarrumação daquilo que é o primeiro instrumento de criação, que seria a língua, a linguagem, e os modelos

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[131] ―I already wanted to do this, since I had already been contaminated by this process which is not literary, it is a social process of people who come from another culture, who take the Portuguese language, they renew it, they transform it into something malleable, and do of the Portuguese language what they want. It is a very free process here.‖ [translation provided by the author]. Mia Couto interviewed by Marilene Felinto for the ―Mundo‖ section of the *Folha de São Paulo* (November 21, 2002): 5-8. 8.

[132] ―The tree was the place of the miracle. Therefore, I descended from my body, touched the ashes, and it transformed itself into a petal. I stirred up again the string of the trunk and the sap flowed back, like semen of the earth. Every move that I made, the frangipani would come back to life again.‖ [translation provided by the author]. Mia Couto. *A Varanda do Frangipani*. Lisbon: Caminho, 1996. 151.

de uma narrativa."[133] This departure from the Portuguese norm is necessary in order to bringing it closer to the spoken language of Mozambicans. In this way, we are yet again crossing borders and two worlds are becoming one: ―This is accompanied by a highly personal endeavour to rediscover and to coin new words, which turns him into a sorcerer that manages to appropriate Camõe's language and force it to move in unexpected directions."[134]

Obviously, and especially for Couto who lived and experienced first-hand the colonial regime in Mozambique, ―the linguistic" renovation ―becomes willy-nilly political." In a word, Couto's linguistic innovations are a very powerful tool, they become ―an exercise in power, both by the author himself, and within the textual worlds he brings into existence."[135] In other words, Couto's neologisms and subsequent subversion of the Portuguese language are essential steps in creating a feeling of pride, of belonging to a land, in a nutshell, in forging the notion of nationhood and national identity, to which Portuguese as an official, national, and unifying language is tied. Consequently, Standard Modern Portuguese, both Portuguese and Brazilian variants, should not act as language police, prohibiting diversity and individuality within the Portuguese-speaking world: ―Eu acho que não tem que haver um polícia de trânsito, a regulamentar a língua, dizendo: «Por aqui não se pode andar.» Pode tudo!"[136]

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[133] ―Beauty, to show somehow what is the possibility of someone to create from the dismantling of what is the first instrument of creation, that is, the [Portuguese] language, a [new] language, and the models of a narrative." [translation provided by the author]. Mia Couto interviewed by Patrick Chabal. ―Mia Couto", in Patrick Chabal. *Vozes Moçambicanas. Literatura e Nacionalidade*. Lisbon: Veja, 1994. 274-291. 289.

[134] Andrés Xosé Salter Iglesias. ―Translating Mia Couto: A Particular View of Portuguese in Mozambique," in *Less Translated Languages*. Eds. Albert Branchadell, and Lovell Margaret West. Amsterdam: John Benjamins, 2004. 177-187. 177.

[135] Maria Manuel Lisboa. ―Colonial Crosswords: (In)voicing the Gap in Mia Couto," in *Postcolonial Perspectives on the Cultures of Latin America and Lusophone Africa*. Ed. Robin Fiddian. Liverpool: Liverpool UP, 2000. 191-212. 208; 209.

[136] ―I think that there should not exist a traffic policeperson, regulating the language, saying: «You cannot pass through here.» Of course you can!" [translation provided by the author]. Mia Couto interviewed by Patrick Chabal. ―Mia Couto", in Patrick Chabal. *Vozes Moçambicanas. Literatura e Nacionalidade*. Lisbon: Veja, 1994. 274-291. 291.

Freed from all grammatical limitations, Couto's texts, thus imbued with a language highly poetic and graphic, are now ready to represent his people: the thoughts, actions, and words of the Mozambicans speaking ‖their version" of Portuguese. Couto is thus a magician of the Portuguese language, since he creates, recreates, and renovates it according to the needs of his or her characters, all Mozambicans crossing the linguistic borders/norms of European and Brazilian Portuguese.

Peasants and everyday people, mainly the poor and destitute, are usually at the center of the action, oftentimes contending with the elements of nature which can and will behave as evil or hostile characters trying to take over all of their possessions. Hence, the at times indifferent or ‖numbed" attitude of his characters, as if they had already given up, defeated by a force greater than anyone else: nature and, through it, destiny. This gives Couto the charge to create surreal or phantasmagoric scenes, all tied with reality and everyday life. The real and the dreamlike, the latter almost synonymous with the out of this world experience, are what typify most of his *estórias*, born ‖sempre a partir de qualquer coisa acontecida de verdade mas que me foi contada como se tivesse ocorrido na outra margem do mundo. Na travessia dessa fronteira de sombra escutei vozes que vazaram o sol."[137]

Couto sets his stories in Mozambique, unfortunately one of the poorest nations on earth, first occupied by the Portuguese (1497-1975), and then devastated by almost twenty years of civil war (1975-1992; first elections: October 1994). This lack of infrastructures in a sense allowed the preservation and transmission of old and traditional values orally; hence, his need to record them down, though in a fictionalized way. When he depicts Mozambicans, through his

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[137] Mia Couto. *Vozes Anoitecidas*. Lisbon: Caminho, 1986. 19; ‖always stirred in me as a result of something which had really happened but which had been told to me as though it had occurred on some distant shore of the world. While crossing that frontier of shadow, I listened to voices that drained the sun." Mia Couto. *Voices Made Night*. trans. David Brookshaw. Oxford, UK: Heinemann, 1990. [vii].

characters, Couto portrays the typical Mozambican, i.e., a person with a hybrid background—

tribal, ethnic, racial, religious, and/or intellectual—especially if he or she comes from the littoral,

a cultural mosaic with almost two thousand years of recorded history, cultural exchange/contact,

and constant miscegenation/crossing of borders: Africans (almost always of Bantu origin), Arabs,

Persians, Turkish, Europeans (particularly the Portuguese), Indians (especially from former

Portuguese India), South-East Asians, and Chinese, to name the most dominant groups. Orphans,

widows, children, the ―other‖ as different, the elderly, those without a voice, and the mistreated

are among those who populate Couto's gallery of characters in his chronicles, *estórias*, and short

stories: they are there to offer a possible solution to the many questions left unanswered in a

post-independent, post-civil war Mozambique:

> Beneath the surface of stories which are always ironic and often
> humorous lurks a world in which people's lives have been
> severely traumatized. Old values have been undermined, familiar
> social compacts have disappeared and a new political bureaucracy
> rules over everyday life—all this in a country which has not yet
> formed itself into a cohesive society with a firm sense of identity
> […] Mozambique is itself part reality and part fiction.[138]

Couto is considered one of the most important names of the new generation of African

writers who write in Portuguese, mainly because of his way of approaching and dealing with

daily problems in present-day Mozambique, as well as the inventive nature of his writing,

permanently looking for new words through a process of intermarriage/crossing over between

Standard Portuguese (Portuguese as well as Brazilian) and the local registers introduced by

Mozambican speakers of Portuguese who speak it as a second or third language: ―Olha, é

possível mexer na língua. Nós não podemos construir uma literatura de costas viradas para a vida.

As pessoas todas já estão falando outro português, há toda uma corrente de imagens, lindas, que

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[138] Patrick Chabal. *The Postcolonial Literature of Lusophone Africa*. Johannesburg: Witwatersrand UP, 1996. 79; 80.

as pessoas já estão fazendo, na rua."[139] This new language, based on spoken Mozambican Portuguese, imbued with ancient oral traditions and lore, combine to form Standard Mozambican Portuguese, a variant that should be recognized as valid as any other Lusophone speech.

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> Border texts are organized around a very strong opposition between «us» and «them»: «we» […] and «them», […] but also «we,» the defenders of the country against the enemy, «them.» The opponents mostly remain faceless. They are seen simply as «the enemy,» losing their humanity.[140]

As we have seen, then, ―borders" can represent not only physical entities, like people and spaces, but also abstract concepts, like identity and language issues. As for language and identity, Portuguese is an instrument with and around which Lusophone countries outside Portugal and Brazil—from Africa to East Timor—have constructed their new post-colonial and post civil war national identity. More specifically, the Portuguese language, through literature, then, can and does represent oral traditions, fables, riddles, myths, proverbs, and semantic expressions originally not part of the colonial past. Lusophone people outside Portugal and Brazil can in fact ―reinvent" and ―revitalize" the Portuguese language and the western values brought by the Europeans. In these Lusophone countries then, the Portuguese language is an often crossed frontier between literary genres as well as different cultural worlds that ultimately helps (re)define their new place within their society and (re)assert themselves within Lusophony as well as the rest of the world:

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[139] ―Listen, it is possible to mess with the language. We cannot build a literature with our backs to life. Everyone is already speaking a different kind of Portuguese, there is a whole set of images, beautiful, that people are already using in the street." [translation provided by the author]. Mia Couto interviewed by Patrick Chabal. ―Mia Couto," in Patrick Chabal. *Vozes Moçambicanas. Literatura e Nacionalidade*. Lisbon: Veja, 1994. 274-291. 290.

[140] Hein Viljoen. ―Borders and their Transgression in Recent South African Fiction," in *Proceedings of the XIIth Congress of the International Comparative Literature Association/Actes du XIIe congrès de l'Association Internationale de Littérature Comparée: München 1988*. Eds. Roger Bauer, and Douwe Munich Fokkema. 5 vols. Munich: Iudicium; 1990. 2: 118-123. 2: 119.

> Borders can be regarded as derridean devices because they are in a sense part of one space, or of another, and yet of none. Borders are thus also «undecidables» that start a sort of oscillation between two extremes that cannot come to an end [...].[141]

Issues as regionalism, nationalism, national identity, assimilation, integration, or lack thereof, as well as Diaspora(s), migration(s), border crossing, and feeling of belonging and dislocation—including language issues, since language is part of a culture and its people—are present in many cultural discourses throughout the world. The new literatures of the new, post-colonial, and post-civil war countries like Angola, Guinea Bissau, and Mozambique are perhaps the answers to this new ―re-dimensioning" and ―re-visioning" of values, starting with their own immediate space, their lived experience in the moment of crossing these multiple and hybrid ―spaces."

Though different in their approach and literary genre chosen, Abdulai Sila, Ondjaki, Rui Knopfli, and Mia Couto all seem to resist this overall feeling of globalized and uniform ―new world" imposed from ―above." In the works herein discussed or alluded to, it is evident that these Lusophone authors not only question the many facets that comprise one's identity, but they also focus on how this identity is being affected and, in a sense, dislocated, or forced to migrate if you will, by a ―superior force." Obviously, the long and painful process of decolonization, with the ensuing civil wars, has had an impact on some of these issues, particularly on the way how new, post-independence generations saw themselves in relation to their past—i.e., the

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[141] Hein Viljoen. ―Borders and their Transgression in Recent South African Fiction," in *Proceedings of the XIIth Congress of the International Comparative Literature Association/Actes du XIIe congrès de l'Association Internationale de Littérature Comparée: München 1988*. Eds. Roger Bauer, and Douwe Munich Fokkema. 5 vols. Munich: Iudicium; 1990. 2: 118-123. 2: 118; Jacques Derrida, Alan Bass, and Henri Ronse. *Positions*. Chicago: U of Chicago P, 1981. 43, also quoted in Hein Viljoen. ―Borders and their Transgression in Recent South African Fiction," in *Proceedings of the XIIth Congress of the International Comparative Literature Association/Actes du XIIe congrès de l'Association Internationale de Littérature Comparée: München 1988*. Eds. Roger Bauer, and Douwe Munich Fokkema. 5 vols. Munich: Iudicium; 1990. 2: 118-123. 2: 118.

colonizer, including his language, his religion, and his socio-cultural values left behind—and the world at-large.

Only in this sense we can then talk about a decentralization of ―multi-composite" identities, whereas the new, post-colonial and post-civil-war generations had to finally come to terms with their present looking at their past. In other words, they had to redefine their role within a new country, with values that now they have to feel, accept, and value as theirs and not as alien or forced upon. Again, local, regional, and national identities had to be (re)created anew and felt as local and not imported from a foreign land. The new generations had to identify with these values and turn them into their own values. Issues like education, religion, cultural and social values, as well as city vs. village and which language or languages to use, are the every-day ―borders" that the new generations in post-war Africa have to face on a daily basis.

As authors, Abdulai Sila, Ondjaki, Rui Knopfli, and Mia Couto are (re)presenting/(re)creating symbols and feelings that characterize new national points of reference which perhaps could set the grounds for the creation of a new collective memory, one which, though linked to their colonial past, does not any longer look back to its ―matrix" for reassurance and validation. These Lusophone African authors are thus creating new images of and for a new nation and a new, postcolonial/post civil war generation. Leaving behind the colonial past as the hitherto only way of explaining their unique identities, they are now concentrating on the natural and cultural heritage of their countries.

Hence, the cultural identity is celebrated in its diversity, in its intertwined layers of influences that eventually give a sense of belonging and forge a culture that is unique, despite the fact that parts of that culture come from overseas, i.e., the colonial past. The new culture is

theirs and it is theirs only; it is here to stay. Obviously, in order to reach this stage, people, as in the characters of these Lusophone African authors, have to cross many borders, particularly ‒cultural dislocations" where identities are often redefined or adjusted.[142] The once ignored, overlooked, neglected, and repressed cultural, ethnic, regional, national, and linguistic differences are now being (re)considered or, better yet, they are the driving force for building new societies where the global world is, at the same time, also local.

Lusophone African literature, then, as expressed by these, as well as many other authors, represents a local, hybrid culture that, in the moment it travels across borders, it acquires global and transnational meanings, as well as it bestows upon its citizens a sense of belonging and an overwhelming feeling of pride. The themes, the values, and the ideologies expressed by Abdulai Sila, Ondjaki, Rui Knopfli, and Mia Couto all contribute to (re)defining identities or creating new ones. Their works are thus true guides to the cultural scene of their respective countries. Their literature invites us— i.e., the rest of the world living on the other side of the border—to also interact with their culture(s), society, heritage, and language(s).

African literature written in Portuguese covers three countries on the African continent (Guinea-Bissau, Angola, and Mozambique), and two archipelagos (Cape Verde and São Tomé and Príncipe). Though all sharing a common colonial past, they differ from each other as to traditions and customs, especially when it comes to oral/aural history and its ties, encounters, and/or clashes with the Portuguese legacy, most of the time more visible in an urban setting, as

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[142] For further discussion on the transnational value of culture and hybrid cultures in the post-colonial world, please see: Homi K. Bhabha. *The Location of Culture*. London: Routledge, 1994; Homi K. Bhabha. *O local da cultura*. Trans. Myriam Ávila, Eliana Lourenço de Lima Reis, and Gláucia Renate Gonçalves. 1998. Belo Horizonte: Ed. UFMG, 2007; Néstor García Canclini . *Hybrid Cultures: Strategies for Entering and Leaving Modernity*. Minneapolis: U of Minnesota P, 1989; Néstor García Canclini. *Culturas híbridas*. Trans. Ana Regina Lessa, and Heloisa Cintrão. São Paulo: EDUSP, 2000; Stuart Hall. A *identidade cultural na pós-modernidade.* Trans. Tomaz Tadeu da Silva, and Guacira Lopes Louro. 5th ed. Rio de Janeiro: DP & A, 2000.

in the case of Angola and Mozambique, two ─vast continental territories of diverse African ethnic groups with a history of uneven Portuguese presence and poor colonial integration."[143] It is exactly within this background, where hybridity—be it linguistic, genetic, or cultural (oral, aural, and written)—is the underlying factor in every-day life, that writers like Abdulai Sila, Ondjaki, Rui Knopfli, and Mia Couto live and interact with societies constantly crossing the border in order to make sense of it all.

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[143] Patrick Chabal. *The Postcolonial Literature of Lusophone Africa*. Johannesburg: Witwatersrand UP, 1996. 14.

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Africa dislocating the Portuguese language:
José Eduardo Agualusa's novel trespassing the border

> Passa-se com a alma algo semelhante ao que acontece à água: flui. Hoje está um rio. Amanhã estará mar. A água toma a forma do recipiente. Dentro de uma garrafa parece uma garrafa. Porém não é uma garrafa. (Agualusa 2004) (p. 198)[1]

Location of the query

After the demise of the Portuguese territorial empire, in 1975, with the collapse of the Portuguese dictatorship and the loss of the independence wars in Africa, the Portuguese language assumed a core role in the constitution of the trans-national identity of the post-colonial community *Lusofonia*.

There is an imperial meta-narrative inscribed in the representations of the Portuguese language that shape this imagined community (Anderson 1991), which includes Portugal and its former colonies in Latin America, Asia and Africa. This narrative either relegates Africa to a subordinated position, or acts its disappearance. The language stands here as synonym to a culture originated and centred in Portugal.

African fiction written in Portuguese has been abundantly problematising this centrality. Aware of the productivity of the transgression of the borders, mainly Angolan, Mozambican and Cape Verdean writers have a highly developed consideration of the questions that shape border studies and theory (Fonseca 2007). The disciplinary categorization of Literatures and Cultures in Portuguese Language, which reaches out to African literary production, is itself problematic, for the suspect coincidence between literature and culture. Yet this terrain houses dis-encounters and confrontations, opening it up to negotiation of meanings (Mendes, Medeiros, and Ornelas 1998).

José Eduardo Agualusa is one such writers. His positions invite reflection upon the metaphorical *fronteira* that, in Portuguese, collapses the border and the frontier (Canelo 1998), here *garrafa* and *água*. With this complexity and ambiguity in mind the essay will scrutinize this particular African gaze to the Portuguese language. It will approach the negotiations established with the post-colonial meta-narrative for the recovery of African presence and agency. It aims at arriving at conclusions about the transgressive quality of this Portuguese language.

Eduardo Agualusa is, alongside the renowned Pepetela, the most recognized Angolan writer of the moment, having been awarded literary prizes in his native Angola, Portugal and the

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[1] *Something similar goes on with the soul to what happens to water: it flows. Today it is a river. Tomorrow sea it will be. Water takes the form of the container. Inside a bottle it looks like a bottle. However it is not a bottle.*

United Kingdom. He left Angola to Portugal as a teenager. Lately he shares residence between Lisbon and Rio de Janeiro, yet maintaining links with Angola, that features in his literature and journalistic activity. He has a strong presence in the public sphere of this triangular space and, besides renown, he is also bestowed with a polemic status due to his critical gaze to authoritarian practice and colonial continuities in this very space.

This writer's literature is identified with ambiguity, unsettlement and transgression. His literature has been situated in the places where 'Creole residues' of the former Portuguese empire are found (Brookshaw 2002) (p. 21). What has been defined as a 'vivência transcultural' has positioned his literature in a culturally ambiguous terrain (Melo 2006). Eduardo Agualusa's oeuvre has been attributed the quality of a 'escrita mestiça', for its location in this very cultural mixture, but also for its force of criticising and dislocating the historical narrative (Braga 2004).

O Vendedor de Passados (2004)[2] offers a post-colonial reflection centring on discursive practise. The novel tells the story of the Angolan albino Felix Ventura, who makes up and sells genealogic trees. The story is narrated by a gecko living in the walls of Felix's house in Luanda. Through observations of Felix's visitors and clients, listening to his monologues and dreaming, the gecko Eulálio tells an adventurous and dramatic story. As the story unfolds, Felix gets entangled with the lives of two photographers, his client, the foreign José Buchmann, and Ângela Lúcia, who he falls in love with. This is a lively interruption to Felix's otherwise detached routine of construction of *new pasts*, memories and identities to the Angolan political and business elite. It will enable him to experience life beyond the books which surround him and the life stories he meticulously invents.

As the genealogist and writer of national History is revealed to be a story teller, language emerges as a central instrument in the transformation of story into historical fact. *Passados* invites reflection upon the very craft of writing, be it the writing of a national history or life stories.

Conceptions of language

Revealing the authoritative language

Eduardo Agualusa places this, as all its novels, in the what he identifies as the shared universe of the Portuguese language, or the '*mundo da lusofonia*' (Machado 2008). In *Passados*, José Buchmann reveals to the gecko his true 'Lusophone genealogy', in a dream.

> A minha mãe morreu em Luanda, coitada, enquanto eu estava preso. O meu pai vivia no Rio de Janeiro, há anos, com outra mulher. Nunca tive muito contato com ele. Eu nasci em Lisboa, sim, mas fui para Angola canuco, ainda nem sequer sabia falar. Portugal era o meu país, diziam-me, diziam-me isso na cadeia, os outros presos, os bófias, mas eu não me sentia português' (p. 191).

After further perambulation he concludes. 'A minha vida era uma fuga. Uma tarde achei-me em Lisboa, um ponto no mapa entre dois pontos, um lugar de passagem' (p. 191).

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[2] Hereafter *Passados*.

The Portuguese language is here a common home emptied of figures of authority. It is a place of encounters in the triangular space Africa-Brazil-Portugal. This conception rescues the language from a terrain of disputed nationality. It is a language that belongs to a collective Portuguese post-colonial identity. Yet here Portugal lost its status of origin and proprietor. This is ironically exposed when Félix Ventura's client, the minister, offers him a typical Portuguese gift: 'Olha, trouxe-te ovos moles de Aveiro, para o caso *made in* Cacuaco[3], de toda a África e arredores, aliás de todo o mundo, melhores até do que os legítimos' (p. 121).

The core of Eduardo Agualusa's literature is in the very uncovering of the constructed character of authoritative narratives. With irony the writer deconstructs the artificial and power led division between stories, criticising the authenticity of History. As Félix rents his services to the *Ministro* to writing his memoirs: 'Félix costura a realidade com a ficção, habilmente, minuciosamente, de forma a respeitar datas e factos históricos'(p. 139). From this making of history emerges national identity: 'Assim que *A Vida Verdadeira de Um Combatente* for publicada, a história de Angola ganhará mais consistência, será mais História' (p. 140). Language acts here as an instrument of power. It serves the purpose of creating the illusion of truth. It is through the use of the common places of the political discourse that a story is confectioned to enter the official narrative. Language is revealed as a form devoid of true content. It is rhetoric.

In *Passados*, as History looses its monopoly on the universal truth, language cannot but follow this descending trajectory. Its universal value is rendered empty; its meaning being found in the locality instead. As Lisbon, the Portuguese language is no more and no less than a *place of passage*. It stands on the common ground of the history of Portuguese imperialism and the exchanges brought about by colonization. Its actual value is found in the unique expressions of the other places traversed in one's life path.

The conception of life in movement and language as its plural representation is manifested in one of the dreams narrated in *Passados*, whereby Eulálio talks with José Buchmann in a train coupe. The gecko describes his counterpart during a short stop: 'Ouvi-o discutir com as quitandeiras num idioma hermético, cantado, que parecia composto por apenas vogais. Disse-me que falava inglês, nos seus vários sotaques; falava também diversos dialectos alemães, o francês (de Paris) e o italiano (p. 133).

In this Babelian scenario, national languages seldom dispense of qualification, as it is their locality which attach meaning to them – the accent and the dialect. These are correlated to what Walter Mignolo names *languaging*, that is the appropriation of a national/foreign language by those that are marginalized by it. Hereby the *noises* and the *dust* of a mother tongue are carried into new usage of dominant languages. Mignolo argues for *languaging* seen as a creative and liberating process (Mignolo 2000). Eduardo Agualusa does not propose linguistics as a terrain for experimentation as such, beyond the incursion of its excess (accent and dialect) and the echo of creative experimentation that takes place in colloquial language in Angola. Yet, more emphatically he forwards the concept of the Portuguese language as the outcome of incorporation of other places/cultures.

Accordingly, *Passados* does not present a case for the adoption of African languages. They belong here to Félix Ventura's childhood at his grandmother's farm in Gabela: 'Brincava o dia inteiro com os filhos dos trabalhadores, mais um ou outro menino branco, dali mesmo,

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[3] Aveiro is a Portuguese city. Cacuaco is an Angolan village.

meninos que sabiam falar quimbundo' (p. 93). Kimbundo[4] is then part of the rural secured universe of childhood in Africa. It is a language confined to the space of memory, which will fade away in the life path of *Passados'* characters, all urban and cosmopolitan. It remains as traces of a language appropriated and incorporated into Portuguese: a *língua mestiça*.

This *mestiça* character is undoubtedly Eduardo Agualusa's most notorious trade. It has been associated with his own condition of Angolan with a Portuguese paternal family side and a Brazilian family maternal side, and with his Diasporic location in-between Angola, Portugal and Brazil. The writer's conception of *mestiçagem* evokes the racial mixture specific to Portuguese colonial experience but also the condition of living amidst cultural systems.

Drawing from his award-winning novels *A Conjura* (1989) and *Nação Crioula* (1997), David Brookshaw characterizes as a *borderland* the literary space that Eduardo Agualusa inhabits:

> [P]erhaps what appeals to Agualusa in these mixed [Creole] societies is the interstitial space they occupy, blurring borderlines, creating ambiguities and contradictions (and sometimes self-contradictions), which suggests that they are in continual gestation, or better, possess an endless capacity for re-invention. (Brookshaw 2002) (pp. 21-22)

Following from here it could be argued that *the border* should be surpassed as a metaphor and interpretative tool to analyse Eduardo Agualusa's aesthetics and ethics. Brookshaw himself refers to Aschcroft's conception of the 'true post-colonial transformation [which] must break down the borderline [between self and other], and forge a path towards what he terms 'horizontality': "It is in horizontality that the true force of transformation becomes realized, for whereas the boundary is about restrictions, history, the regulation of imperial space, the horizon is about extension, possibility, fulfilment, the imagining of a post-colonial space" (Brookshaw 2002) (p. 4). Brookshaw terms this location, a *borderland*, that is a frontier territory without borders. Its *horiziontality* is its emancipatory possibility from the colonial territorial frame.

From here derives Eduardo Agualusa's conception of language as a wall-less house, as it challenges borders. Its horizontality qualifies it as home, that is changing and moving, like any home and any locality, a place of passage. It is therefore natural that language does not manifest a supposed origin, but one's voyage. Félix Ventura, for instance, cannot fixate the identity of the foreigner through his speech: 'Não consegui pelo sotaque adivinhar-lhe a origem. O homem falava docemente, com uma soma de pronúncias diversas, uma subtil aspereza eslava, temperada pelo suave mel do português do Brasil' (p. 16).

The ambiguous Luso-tropical language

The senses of sound, smell and taste, here associated with the Portuguese language, play an important role in Eduardo Agualusa's constructed ambiance and characters. This is a distinctive aspect that places the novel in dialogue with *Luso-tropicalismo*.

This doctrine, fashioned by the Brazilian sociologist/anthropologist Gilberto Freyre, argues the malleability and adaptability of the Portuguese to the Tropics in their imperial enterprise,

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[4] Kimbundu is one of the most spoken national languages of Angola, in its North-western region, including the Luanda province (Lewis 2009).

and their specific type of benign colonization based on their inclination to racial intermixing.[5] It is then through the senses evoked by the experiences of entanglement between the Portuguese and their colonial subjects that a *true life* is manifested.

> Na ternura, na mímica excessiva, no catolicismo em que *se deliciam nossos sentidos*, na música, no andar, na fala, no canto de ninar menino pequeno, em tudo que é *expressão sincera de vida*, trazemos quase todos a marca da influência negra. (Freyre 2001) (p. 343, own marks)

Luso-tropicalismo carries the aesthetical claim that Portuguese is a language that makes 'a literature of life, movement, *vária cor*'(Freyre 1953). These trades echo in Eduardo Agualusa's literature. For these and beyond, David Brookshaw denotes the continuities of the doctrine in the writer's *O ano em que Zumbi tomou o Rio* (2002): 'It is perhaps natural that Agualusa, whose fiction has sought to evoke the historic and cultural links between Portugal, Africa and Brazil, should ultimately see the old Luso-Tropicalist tradition of superficially harmonious race relations through miscegenation as a positive legacy' (Brookshaw 2007) (p. 167).

Yet, Brookshaw argues that the same novel forwards a fierce critique of race relations in Brazil, its accompanying colour prejudice and the hypocritical discourse that hides it, hereby discontinuing with the Luso-tropical myth (Brookshaw 2007). The writer could then be harbouring in this doctrine, to surpass it, seeking its *horizon*.

Commenting on the same *O ano em que Zumbi tomou o Rio*, Samatha Braga identifies in Eduardo Agualusa a 'reaproveitamento de material', that is making use of existing text, to rewrite it, offering new text that subverts its original, hereby instigating 'um olhar ácido sobre os modelos e sobre o que é conhecido' (Braga 2004) (p. 88). Further drawing from Brookshaw, it follows that Eduardo Agualusa can be argued to appropriate this Luso-tropical *mestiçagem*, to rewrite it into a displacing text:

Within the fluid, anticorporative concept of identity that Agualusa seeks to promote, these apparent contradictions can perhaps coexist.[…]It is probably true to say that [Agualusa is] interested in defying fixed notions of identity in relation to corporatist notions of "angolanidade", 'Angolanness ' and "afro-brasilianidade " 'Afro-Brazilianness,' but also in what actually constitutes an Angolan. (Brookshaw 2007) (pp. 168-169)

Correspondingly, Eduardo Agualusa is rejecting the very concept of national identity and of a supposedly transnationality of the Portuguese language. In an interview to *Jornal de Notícias* he is explicit:

> [JN:] Dizer-se afro-luso-brasileiro é a sua melhor definição de nacionalidade?
>
> [JEA:] Não simpatizo com a ideia de nações nem com fronteiras. Sou um não-nacionalista. Ou um anacionalista. Acho que o nacionalismo conduz quase sempre ao ódio ao outro, ao desprezo pelo outro, quando, afinal de contas, o outro somos sempre nós. (Silva 2007)

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[5] *Luso-tropicalismo* emerged in Brazil in the 1930's, a time of defining national identity. It proposed the recovery of the value of the contribution of the African element in the constitution of Brazilian society. A simplified version of the doctrine was appropriated by the Portuguese dictatorship, in the 1940's and 1950's, as a justification to the maintenance of its colonies in Africa. In this period Gilberto Freyre expanded his Brazilian model to characterize all societies colonized by Portugal. The doctrine had great influence in Brazil, Portugal and the newly independent African colonies (Cape Verde in particular), despite of its critiques.

The writer seeks to deconstruct the very categories that serve as pillar to a conception of a Luso-centric space. Yet, does he succeed? Here David's Brookshaw touches the core question on Eduardo Agualusa's literature:

> It may well be that Agualusa 's hidden nostalgia for the creole worlds that issued from the Portuguese imperial encounter can be attributed to their being anti-essentialist, pragmatic and chameleon in both their cultural expression and in their cultural and political affinities. They do not, for it is against their nature, hark back to some pure, supposedly authentic state. But here, it is appropriate to distinguish between hybridity as a creative force, in the words of Jan Nederveen Pieterse, "a destabilizing hybridity that blurs the canon, reverses the current, subverts the centre" (56), and the assimilationist model enshrined in Luso-Tropicalism and which served the purposes of Portuguese colonialism even as this was dying on its feet. (Brookshaw 2007) (p. 170)

The critical aspect of this interpretation is revealing creolisation and hybridity as forces that dispute the authority of the centre and act its very transformation. This is the core of the promise of the borders. This utopia is the element foregrounded in Walter Mignolo's border theorization (Mignolo 2000) and equally in Boaventura de Sousa Santos' (Santos 2000). Overall this perspective has been strongly present in both literary studies and border studies.

Following this utopian promise, Eduardo Agualusa's literature could be called *Post-Luso-Tropical*, a term coined by Miguel Vale de Almeida: 'O "pós-luso-tropicalismo" sería, assim, uma ultrapassagem que não se esquece do que ultrapassou' (p. 162). It assumes the specific historical and social facts that originated the doctrine, namely Portuguese expansion, Brazilian and African colonization and its residues and reminiscences. Yet it surpasses it through a constant vigilance to the resilient discourse of racial harmony and the praise of a supposedly Lusitanian centre that originates commonalities (*lusofonia*) (Almeida 2000b).

Yet this promising terrain carries particular and ambiguous meanings in the history of Afro-Luso-Brazilian entanglement. An idea of Portuguese colonial exceptionalism took various shapes in the process of finding a foundation to the Portuguese *spirit of conquest* and its *civilization mission*. This mythology is resilient and lives through in the post-colonial imaginary. Maria Canelo revisits Portuguese Modernism, which emerged at the time when African colonies became a core element in defining Portuguese national identity. She contends that these aesthetics presented a Portuguese border identity that deconstructed national borders, yet re-established national superiority. Hereby a national identity was given universal appeal with an appearance of cosmopolitanism, as it was traversed by encounters with such variety of others. Yet the Portuguese, supposedly adaptable and creative, absorbed and erased such others restating their cultural superiority (Canelo 1998). Omar Thomaz contends that *Luso-tropicalismo* followed these trends (Thomaz 2007). Boaventura de Sousa Santos has developed an influential analysis on Portuguese colonialism, stating the very subaltern position and role of Portugal as semi-peripheric empire. The sociologist characterized the former colonizer as hybrid (Santos 2001). This theory has been criticized for its element of continuity with that Portuguese colonial exceptionalism, and with the resilient heritage of Luso-tropicalism, following its trajectory from a valorisation of the black towards a validation of Portuguese colonization (Arenas 2005).

Vale de Almeida analyses the various historical contexts and social uses of the concepts that have been assigned to this post-colonial field, arguing that any argument on miscegenation, hybridity or creolisation call for an approach devoid of naiveté. These terms, he poses, constitute what became a category of commonality in the processes of shaping national

identities in the Portuguese post-colonial field. They are though mostly used to denote the process of social whitening and cultural Europeanisation (Almeida 2004).

The *mulata* is an outstanding element that confirms a Luso-tropical continuity in Eduardo Agualusa's literature. She is the synthesis of Freyre's new civilization, born out of the desire of the Portuguese man to tropical women, be them African or Amerindian. She is the organic and fraternal link between colonizer and colonized. Vale de Almeida analyses the Brazilian Jorge Amado's renowned literary character Gabriela, coining her the iconic representation of Luso-tropical alterity. The anthropologist deconstructs Gabriela as a triptych, expressing the ideology of an harmonious Brazilian society, the hidden social conflicts along the lines of race, class and gender, and the project of transcendence of these conflicts (Almeida 2000a). In *Passados* it is Ângela Lúcia that incorporates this mixed coloured synthesis. Her sensuality is presented through the colours of her skin: 'Ângela Lúcia é uma mulher jovem, pele morena e feições delicadas, finas tranças negras à solta pelos ombros' (p. 53); 'Ângela Lúcia tinha a pele brilhante. A camisa colada aos seios' (p. 169).

It is then through the 'vertigem da primazia dos afectos e dos sentidos' (Almeida 2000a) (p. 3) that Eduardo Agualusa presents the sensual *mulata*. She incorporates the tension between the force of maintenance of the perverse system that created her and the utopia of a civilizational project. For this Vale de Almeida argues 'a figura social da mulata [como] um campo armadilhado'(Almeida 2000a) (p. 3). Eduardo Agualusa harbours his literature in this very mined terrain, the *shared universe of the Portuguese language*. His utopia, given body and colour, is also his merchandise in a cultural market that still consumes it in a process of feeding the exceptionalist quality of this post-colonial centre. The writer rescues the Luso-tropical trademark of *mestiçagem,* constantly walking a fine line between the reaffirmation of a Portuguese hegemonic representation and its transgression.

In a Brazilian interview Eduardo Agualusa poses: '[O]s povos africanos são, de uma forma geral, muito abertos ao mundo e à novidade e, tal como os brasileiros, capazes de devorar tudo, de transformar e integrar todas as outras culturas. Isso é maravilhoso. É o futuro'(Kassab 2006). The writer borrows from Brazilian Anthropophagic Modernism. He subverts the relation between colonizer and colonized, presenting an active colonized subject cannibalising and digesting the stranger colonizer.

Further to his interviews, Eduardo Agualusa sides explicitly with the Portuguese language as spoken in Brazil, for he believes it transformed itself into a language closer to Angolan Portuguese. '[O] português do Brasil é mais próximo do nosso precisamente porque houve aculturação, ou seja, porque os brasileiros adoptaram como suas largas centenas de palavras provenientes do quimbundo e do quicongo' (Angolense 2005). The Portuguese language that is Brazilian and *Creole*[6], carries the forces of appropriation, incorporation and transformation. It is a voracious language that devours other cultures, to regurgitate them into a different version of itself. This eating language supposedly looses its centre along the meal. Every meal, a new *gestation*.

Further, the language manifests a compatibility that surpasses it, as it is cultural. Asked about his conception of *lusofonia*, Eduardo Agualusa responds:

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[6] Here I am not referring to the term in its linguistic meaning, which is defined within specific linguistic boundaries.

> É algo que ultrapassa a língua. Inclui muitas outras referências que têm que ver com formas de sentir o Mundo, com a própria história comum de todos os países que falam Português ou onde se fala Português. Também tem que ver com a culinária, costumo dizer que a lusofonia é um pouco uma "comunidade do bacalhau". (Vitória 2004)

The Portuguese language emerges here as a home, a place where one is in touch with the profound layers of the self, a place wherefrom to *sentir o mundo*. The language belongs to the cultural heritage of an entangled history that enables fraternal encounters. Yet here again the writer enters Luso-tropical terrain. It is the very commonality of feeling and absence of conflict between subjects in unbalanced relations - established through colonization, capitalism and globalisation - that called much criticism to the idea of a shared space of the Portuguese language. Even if this space is subverted in its Lusitanian authority, the affirmation of such a commonality around a Portuguese centre perpetuates the very core of Portuguese exceptionality.

Language displacing the territorial self

Inquired on the role he attributes to language, Eduardo Agualusa argues it as home without a centre, as it is not defined by fixed borders. 'Não são as fronteiras que definem as identidades e a língua tem muita importância. Muito mais do que as fronteiras. O que é concreto é a língua. As fronteiras são invenções artificiais' (Lucas 2007).

The language that surpasses national borders denounces here the geography of one's life, its travel map. In the post-colonial world of the Portuguese language, *dust* and *noise* are windows into one's moving home, the self born out of one's journey. Yet, as this is the deceptive universe of story telling, these are another of the representations of the self that might be fictional. Language alone does not convey the aspect of reality that the particular sound of a place does. As the *pronúncia* and the *sotaque* reveal the self, they are powerful artifices in the construction of such a fantasy, well illustrated by Eulálio's observations:

> Venho estudando desde há semanas José Buchmann. Observo-o a mudar. [...] Em primeiro lugar está a mudar de sotaque. Perdeu, vem perdendo, aquela pronúncia eslava e brasileira, meio doce, meio sibilante, que ao princípio tanto me desconcertou. Serve-se agora de um ritmo luandense, a condizer com as camisas de seda estampada e os sapatos desportivos que passou a vestir. Acho-o também mais expansivo. A rir, é já angolano. (pp. 59-60).

Literally, the accent belongs here to the outfit or *fantasia*. It is as much a manifestation of a constructed self as the clothing and the laughter. These common places of belonging, either to a nation or to a location within it, enable the collective consumption of the invention, its purchase as truth. Here Eduardo Agualusa recurs to the constructed colonial indissociation territory-identity, to reflect upon representations of the self as tools in a game of deceit.

Passados dwells on the topic of building fantasies, firstly individual and then collective. Hereby Eduardo Agualusa is arguing identity as a story creatively fashioned by language, a text. In consequence, such identity is plural and not fixed, and its reception depends on different readings. The freedom to interpret and produce such identity that is text, is strongly present in *Passados*, as José Buchmann appropriates his invented identity and engages in its further writing.

The creative *borderlander* has in the novel a manual to the designing of her tale, the most critical of which lessons is the manipulation of common places for the construction of

veracity. Further, shaping a fantasy, which is in *Passados* synonymous to using language, either writing or telling, is a way of living of those haunted by the ghosts of the past. It is an escape.

Language framing the elusive self

The word is then central to the construction of such tales, it gains expression in the act of naming. Naming represents here the very constitution of life in fiction. This is well illustrated in the chapter that Félix Ventura offers the foreigner his new identity, entitled 'O nascimento de José Buchmann' (p. 37). The name is then a critical element in the construction of a character, it is its origin, its place of birth. In *Passados* names succinctly tell a story, as it is the case of Félix Ventura, who finds happiness when he actually engages in the adventurous experience of his own life; or of Ângela Lúcia, the angelical woman-child that emanates and captures light through photography. But the name is ever more revealing in the phantasmagoric image of the prostitute, who is Alba in the mornings, Dagmar at dawn and Estela at night. Her very existence hints to the core of the tale, that is about light in its plurality, artificial brightness but, above all, about ghostly shadows. It is language, here the name, that awakens the ghost. As Félix Ventura tells the gecko about his encounter with Ângela Lúcia, Eulálio is caught by associations: 'O nome […] acordou outro em mim, Alba, e fiquei subitamente atento e grave' (p. 43).

Still, the name is only representation, dissociated from the self. Eulálio reflects about what is in a name, either the imposition of a destiny or a mask crafted to hide. He concludes: 'A maioria [dos nomes], evidentemente, não tem poder algum. Recordo sem prazer, sem dor também, o meu nome humano. Não lhe sinto falta. Não era meu' (p. 44).

Beyond revealing the name as a surface and fiction, this separation between name and self characterizes too the foreign language. Julia Kristeva argues: 'The foreigner's 'verbal constructs […] are centred in a void, dissociated from both body and passions, left hostage to the maternal tongue'. 'His consciousness does not dwell in his thought. [It] shelters on the other side of the border'(Kristeva 1991) (p. 32). Eduardo Agualusa focuses on foreignness that is one's own other side, the foreigner within: '[Q]uando digo estrangeiro refiro-me ao espaço de outras línguas' (Silva 2007). In *Passados* there is no other side of the border, as there is no foreign language. Centring his tale in this very dissociation and void, he is arguing that every language carries its foreignness. Its naturalness, the place of association between self and name, is what Kristeva identifies as property of the mother tongue. For Eduardo Agualusa, whose mother tongue is a *lugar de passagem*, it is the spilling of the locality.

In *Passados*, not only Eulálio but most characters have more than one name, supposedly the real one and the invented name, crafted to evoke nobility, wealth or, contrarily an ordinary origin. Naming is here a requirement to escape one's reality, past and heritage. Still again this plurality stands for the two halves of a fiction, where the real name is the ghostly memory and the fictional, the fantasy. Additionally, the multiplicity of names hints too to the concept of multiple self, that is Eulálio gecko and Eulálio man, that is the prostitute in her various shades of light. Yet again this multiplicity stands for the name as version, one of many possible inventions/interpretations.

Finally, the name is here conceptualised as *artefact*, borrowing from Sousa Santos's possibilities of manipulation in the border (Santos 2000). The name is then an aesthetical object that attaches authenticity to invented identities and stories. Such object has the force to

suggest reality and truthfulness. It enables the collectivisation of fiction, which becomes naturalized and normalized, gaining authority.

Language calling the others

Language then turns into the maker of a mere aesthetical object, and the art of the writer, as it is of the genealogist, is to shape it to perfection. Language aspires the creation of beautiful objects, such as the completed genealogical tree, that Félix Ventura proudly admires.

It is the sight, smell and texture of the object that give it life. Yet further the senses reflect the spoken universe, actually more suited in its plurality, to capture Angolan reality. '[A *Velha Esperança*…] nunca leu livro nenhum, mal sabe ler. Todavia, venho aprendendo muita coisa sobre a vida, no geral, ou sobre a vida neste país, que é a vida em estado de embriaguez, ouvindo-a falar sozinha, ora num murmúrio doce, como quem canta, ora em voz alta, como quem ralha, enquanto arruma a casa' (p. 11).

The language, here understood as manifestation of a particular world, continues its dissociation from a supposed authority and singularity. Animal sounds and noises turn into languages that are the manifestation of the plurality of the self, which is, has been or will be an animal or plant of a sort. Here again, the singular Modern self is reflected upon, as José Buchmann adds to the row of languages and dialects of his proficiency:

> - Falo inclusive o blaterar -, ironizou: - a linguagem secreta dos camelos. Falo o arruar, como um javali nato. Falo o zunzum, o grilar e olhe, acredite, até o crocitar. Num jardim deserto seria capaz de discutir filosofia com as magnolias (p. 133).

Housing his literature in the universe of a single language, Eduardo Agualusa evokes the plurality of the spoken world. Yet further to the word, it is other plural aspects of language that carry meaning, namely all that detaches it from a universal Western anthropocentric form. All such manifestations of plurality through language, are recurrent in Eduardo Agualusa's literature. Iza Quelhas comments about *Estação das chuvas*:

> Ao deslocar o eixo e suas possibilidades de construção de sentidos para uma multiplicidade de autores e seus enunciados, a instância autoral focaliza o outro em suas manifestações linguajeiras, trazendo também para a representação do eu que narra uma alteridade internalizada na imagem do híbrido no mesmo (Quelhas 2003) (section II)

Interviewed on his more recent novel *As Mulheres do Meu Pai* (2007), Eduardo Agualusa argues on the role of such evocation of alterity:

> Uma das coisas boas da literatura é esse exercício de alteridade, pôr-se na pele do outro. Isso pode tornar-nos melhores pessoas, porque só quando você acredita que é o outro compreende o que o outro sente. Isso torna-nos mais tolerantes. É muito mais difícil eu imaginar que sou uma lagartixa. (Lucas 2007)

Passados is then revealed as an exercise in pushing the boundaries of tolerance of the engaged reader. It is through identifying with the gecko's feelings, and familiarizing with his ghosts, that the reader encounters the other self, Eulálio. He is one of us, in dreams he speaks our language, he might even be ourselves.

In the margins of language

Félix Ventura relies on the otherness of languages to affirm their incredibility to a José Buchmann that reflects upon the strange stories told by the beggar- *ex-agente do Ministério de Segurança do Estado*, Edmundo Barata dos Reis:

> Luanda está cheia de pessoas que parecem muito lúcidas e de repente desatam a falar línguas impossíveis, ou a chorar sem motivo aparente, ou a rir ou a praguejar. […]. É uma feira de loucos esta cidade, há por aí, por essas ruas em escombros, por esses musseques em volta, patologias que ainda nem sequer estão catalogadas. Não leve a sério tudo que lhe dizem. (p. 162).

Here again it is in the language devoid of authority that a hint to the truth -a window to the actual fact- is offered. It is then outside of the core of what qualifies language as such that a real message lies. It is in the laugher of Eulálio, that is the only sound he is able to utter. It is in the sounds of animals, it is in the moans pronounced at the actual encounter between Félix Ventura and Alba Lúcia.

It is then the shadows of language that hint to something real, which here too, is a category questioned. Yet further beneath this labyrinth of fantasies lies a critique to the brute memory of oppression in Africa and Portugal. In this context, silence is a survival strategy for those who are persuaded not to speak the truth. Over a dinner arranged by Félix Ventura, José Buchmann tells Ângela Lúcia about his life abroad: 'Fui para Portugal nos anos sessenta, estudar direito, mas não gostei do clima. Fazia muito silêncio' (p. 81). The silence of Portugal under dictatorship is then compared to the slippery world of changing political ideologies of post-independence Angola. Here too the unspoken word stands for the prohibition of dissidence. The ideology of power is the only authorized language.

And yet there are other telling silences here. Centring on the craft of story telling, the novel deals with language as a instrument of conveying a message rather than as a place of encounter and dialogue. Félix Ventura's main interlocutor, the gecko Eulálio, serves as the instrument through which he tells his story and reflects upon it. Language is, in this context, a place of encounter with the self. Eulálio is the *Eu lá*, who is actually plural, the alter-egos with whom Félix meets; his previous self, his elderly self, his animal self, his hidden self, his sublime self (god), and his double. It is someone with another perspective on his life, as evident when he observes the dialogue between Félix and José: 'Colocara-me exactamente sobre eles, pendurado do tecto, de cabeça para baixo, de forma que podia observar tudo em pormenor'(p. 148). This inversed gaze corresponds to the exercise of alterity, previously argued, that has a marked presence in Eduardo Agualusa's literature. It stands for a positioning in the margins to reflect upon the centre.

Language evoking ghosts

Passados centres on the forged making of stories and identities as a means to avoid facing the past of one self and of a nation. Fashioning fantasies is for Félix Ventura/Eduardo Agualusa a way to chase away the ghosts of the past. Literature, which is here synonymous with lying, is as a consolation and a shield against incurring the risks of living, as Eulálio's mother taught him: 'A realidade fere, mesmo quando, por instantes, nos parece sonho. Nos livros está tudo o que existe, muitas vezes em cores mais autênticas, e sem a dor verídica de tudo o que realmente existe' (p. 102).

Literature is then proposed as a secure surrogate to life, a shield against pain. Language serves the purpose of this literature of forgery through evoking such images. Yet, it offers too the very possibility of experiencing life, passionately, in a blind and liberated fashion. For Eduardo Agualusa, '[e]screver é como dançar, é como fazer amor, só resulta verdadeiramente quando nos esquecemos de nós' (Anaute 2007).

In the core of *Passados* is a message for incurring the risks of life that hides beyond the ghosts that haunt us. At the beginning of the novel Eulálio recalls the memory that accompanies him. His father sent him to *Madame Dagmar*, to introduce the son into sexual life. Yet in her presence, the gecko, then a young man, could not dissociate himself from the image of his father's sexual relations with the prostitute.

> Foi um relâmpago, uma revelação, vi-a, multiplicada pelos espelhos, soltar o vestido e libertar os seios, ví-lhe as ancas largas, senti-lhe o calor do sangue quente, e vi o meu pai, vi as mãos poderosas do meu pai. Ouvi a sua gargalhada de homem maduro a estalar contra a pele dela, e a palavra chula. Vivi aquele exacto instante, milhares, milhões de vezes, com terror e com asco. Vivi até ao ultimo dos meus dias (pp. 35-36).

It is the very fact that memories are populated with images, that gives them a degree of what we perceive as reality, and their power. Slavoz Zizek evokes a similar strong image of sexual tint to reflect about the workings of ideology through relying on fantasy and, particularly on its ghostly fashion. He comments that his wife's supposed sexual encounter with another man seemed acceptable to a rational and tolerant man like him,

> […] but then, irresistibly, images start to overwhelm me, concrete images of what they were doing (why did she have to lick him right *there*? Why did she have to spread her legs *so wide*?), and I am lost, sweating and quivering, my peace gone forever'(Zizek 1997) (p. 1).

In *Passados* too, the power of the word is to evoke such images that, in a Luso-tropical sensual-sexual fashion, convey the senses. It is the artefactuality of the word that realizes its ideological strength, here the power of veracity, as evident in José Buchmann explanation to Eulálio, in dream: 'Uma goiabeira em flor, por exemplo, perdida algures entre as páginas de um bom romance, pode alegrar com o seu perfume fictício vários salões concretos' (p. 131). The writer conceives here the word as creator of fantasies we forcibly evoke in search for happiness, or ghosts that will haunt us.

The dramatic height of *Passados* turns around the revelation of the actual story whereby all central characters are entangled: Edmundo Barata dos Reis tortured José Buchmann, then the political dissident Pedro Gouveia, killed his wife and stood beside his companion that maimed Gouveia's baby daughter, Ângela Lúcia. Out of the tale of the torturer burning a cigarette into the flesh of the baby girl, emerges the ghostly image that haunted his accomplice: 'Ainda hoje quando deito e adormeço, sinto aquele cheiro, ouço o choro da criança…' (p. 177). This image will haunt Eduardo Agualusa's readers.

Hereby *Passados* fits into the African post-colonial literature that makes recourse to fantasy as an inquiry into the memory of its history, and as a reminder of the coping strategies needed to face its brutality, old and new. The adherence to language as an instrument to add the force of the senses, smell and sound, amplifies the power of memory. Eduardo Agualusa calls one, the nation and the trans-nation, to face this living past in order to built a future.

Back to language as home, Eduardo Agualusa ends *Passados* with Félix Ventura affirming himself to be an animist, for whom the soul flows like water. 'Eulálio será sempre Eulálio,

quer encarne (em carne), quer em peixe' (p. 198). Analogously, language is form, the shelf, the bottle, it is not the self, not the moving soul. It enables rescuing images in order to create dreams. *Passados* closes: 'Eu fiz um sonho' (p. 199).

The making of a dream is a metaphor to one's engagement in building happiness. Eduardo Agualusa reveals the emancipating power of language. It has the force to produce stories crafted upon unsettled and ambivalent material, namely identities in movement made out of memories in metamorphosis. This is the language of the alter, the *stranger within ourselves*, that is not settle in the fixed localities of national identity and belonging. This internalised alterity is turned into a force of liberation for the one conscious of his own ambiguity and multiplicity. He is Julia Kristeva's *happy cosmopolitan*.

> One who is a happy cosmopolitan shelters a shattered origin in the night of his wandering. It irradiates his memories that are made up of ambivalences and divided values. That whirlwind translates into shrill laughter. It dries up at once the tears of exile and, exile following exile, without any stability, transmutes into games what for some is a misfortune and for others an untouchable void. Such a strangeness is undoubtedly and art of living for the happy few or for artists. And for others? I am thinking of the moment when we succeeded in viewing ourselves as unessential, simple passers by, retaining of the past only the game... A strange way of being happy, or feeling imponderable, ethereal, so light in weight that it would take us so little to make us fly away... (Kristeva 1991) (p. 38)

The eating language

This accomplished cosmopolitanism corresponds to the *Creole* condition for Eduardo Agualusa. The writer coins himself 'Um crioulo, neste sentido cultural, que não tem a ver com raças, é um homem do mundo, da modernidade, alguém capaz de transitar com o mesmo à vontade por todas as cidades e por todas as culturas' (Angolense 2005).

Yet the internalisation of alterity that gave birth to this Creole is perverse too, as it turns his marginal identity invisible. Eduardo Agualusa is then presenting a libertarian and ethereal identity while hiding the other. Vale the Almeida argues that the discourse of creolisation turned the black African into a ghost that diluted himself in the racial mixture (Almeida 2004). In *Passados* it is the albino Félix Ventura that incorporates the ghost of race. The writer shaped this identity as a metaphor to the constructed character of national or racial authenticity. In this operation he gives protagonism to the otherwise marginal Angolan albino. Yet concomitantly he acts the disappearance of a critical element in the constitution of a marginal identity in the Portuguese post-colonial field, that is race.

Russell Hamilton denotes that Angola, Cape-Verde, Guinea Bissau, Mozambique and São Tomé e Príncipe are distinct from other African former colonies not only as individual nations but also carry a common singularity. White and *mestiços* from the urban middle classes, belong to their cultural elites, particularly in the literary field (Hamilton 1999). These luso-descendants have both social and cultural capital in Portugal and, in the case of Eduardo Agualusa, Brazil turned into his privileged audience and market. Their literature is strongly associated to Portuguese/European culture, which is an important factor in the literary success and incursion into the literary canon. This readership and the association with authoritative publishing houses in Portugal, which is the case of Mia Couto (Rothwell 1998) and can also be said of Eduardo Agualusa, locate them in the mainstream of the hegemonic post-colonial culture.

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In Portugal they do not share the border place associated with the African Diaspora. Sheila Khan's ethnographic research with Mozambican immigrants reveals that for most of them cultural hibridity does not represent an advantage or an added value but adversely, it manifests their uprooting from two nations. Furthermore the hegemonic culture does not translate the discourse of welcoming hybridism into a practice of interaction with other practices and cultures (Khan 2006). The promise of literature is quite distant from the experiences of the actual border between Africa and Portugal. Here Sousa Santos' contention applies: not everyone can experience the limits without suffering them (Ribeiro 2005).

However the distance of the writer to the border as margin is not in itself sufficient to characterize his literary project, it must necessarily be taken into consideration in any attempt at understanding his negotiated position. Eduardo Agualusa's fluid *mestiçagem* leans toward the trademark of Portuguese exceptionalitic colonialism, it hides the black African, his race and social class. Hereby the writer is erasing the borders in an attempt to overcome them. Eduardo Agualusa Portuguese language eats Africa in the process.

His language, crafted with smells, sounds and sights, presents weightless images which one cannot capture. In *Passados* they are the clouds and the light that Ângela Lúcia registers in picture. From Brazil, she sends Félix Ventura 'a imagem de um mão de criança, lançando um avião de papel' (p. 198). It is an image of transitionality and movement. It is an horizon where an utopia emerges, Luso-tropically.

Conclusion

The richness of the metaphorical border is due to its very arbitrariness of meaning which can be used to fixate and delimit and/or to liberate from boundaries, depending on the symbolic appropriation made (Ribeiro 2005). The richly conceived language that emerges out of Eduardo Agualusa's text is as much *fronteira*-border as it is *fronteira*-frontier.

The libertarian promise lends this text to be characterized as a *borderland*. It offers the possibility of overcoming colonial ghosts and divisions and seeking an utopia through *horizontality*. Ribeiro refers only to one amongst the several meanings given to the horizon as theme, that is Nietzchean, which supports comprehending this promise. Here the border appears to delimit a line between the duty of forgetting the past and the burden it imposes in the present. The horizon is then a condition for building a future (Ribeiro 2005). Yet this openness, manifested in the Eduardo Agualusa's fluid conceptions, is bounded by a fixed frame. The borders of the Portuguese language have been trespassed by its post-colonial others. According to Ribeiro, whose scrutiny of border-like metaphors are critical for this analysis, the frame of a painting, acts a closure to the exterior and a concentration in the interior. This process of demarcation sheds light into the structuring element of the borders. They enable their very transgression; the border turn into the condition of utopia; recurring to Schiller, it is only through the limits that we reach the unlimited (Ribeiro 2005). The bottle remains whole, for its very transgression, and for shaping what it contains.

It is then through the possibility of visualizing the other and that which separates us that a relationship can be established, which does not act his assimilation and obliteration. Eduardo Agualusa's conception of the Portuguese language enables a reflection on the Portuguese

empire and its reminiscences in the post-colonial trans-national space. It proposes an horizon, a civilization fused utopia that faces the future. Its offers transgression within a given frame. Hereby the diluting appetence of the border (Fonseca 2007) erases Africa.

Beyond calling attention for the particular metaphorical appropriations of the border, another critical aspect of current reflections in the Portuguese post-colonial field, is the importance of situating the narratives that play with the metaphor of the border. Contextualising and historicizing the appropriation of this metaphor in the spaces of articulation where it emerges (Fonseca 2007) supports a departure from the naiveté that has characterized both border studies and the studies of post-colonial literature (Ribeiro 2005). This entails narrating the asymmetries that cut across post-colonial encounters, which delimit the universe of possible negotiations, leaving a mark in the meanings produced. Eduardo Agualusa's narrative is ambiguous.

The narratives' conservative disposition is found in the strong association with its Portuguese post-colonial location. Establishing a dialogue with the tradition of Portuguese exceptionalist narratives, the conception on the Portuguese language that emerges here, gives continuity to the Portuguese imperial trademark. Its creolité feeds the benevolent centre that tolerates African incursion. The hybridity born out of this place of encounters manifests the Portuguese making of an universal civilization. These trademarks refer back to Brazil as a model of Lusitanian making that would be exported to Africa. Agualusa's language conceptions appropriates the material of this Luso-tropical narrative using it as artefact to shape it into an emancipatory text. As much as it frees language, nation and identity from the Modern frame, the text re-enforces the Lusitanian matrix of this hybrid model. It is thus not post- but still Luso-tropical.

Its transgressive force is found in the demise of the singular authoritative narrative. Hereby language looses its universal meaning. In itself it is only form, outside skin, *garrafa*. It is conceived as a place of passage which value is found in the hint to the localities it traversed. Further, it reveals the artificial and subjective character of National and individual identities, subverting the centre. Language acts here as a critical instrument in deconstructing the authoritative text it inhabits, from an insider's perspective. This language is a home without nationalities, without the primacy of origin and the authority of property. It is an orphaned Portuguese language in continuous transformation. Hereby Eduardo Agualusa confronted the territorial logic that coupled language to the empire (Mignolo 2000). This dislocation or *moving the centre* away from the North, in the best post-colonial African tradition from Ngugi Thiong'o, acts a *decolonisation of the means of imagination* (Rao 1999).

Language is a powerful instrument in the construction of fantasies and in the evocation of ghosts. Eduardo Agualusa makes recourse to the *artefactualidade* of the word to build images that accompany one's life and guide one's living. Here a further critical element in the writer's literature emerges, that is arguing language as a manifestation of ideology. He is revealing the constructed character of narratives at a time of re-writing Angola's national narrative upon the negotiation of a violent memory. Simultaneously he is calling one to write her own narrative and risk, that is experience life through the senses that language can so skilfully evoke. The writer is appealing to the emancipatory potency of the border, that is realized when the subaltern appropriates the narrative elements that render her marginal and manipulates them to escape this very condition.

Altogether, reading Eduardo Agualusa involves sharing the common home of *Lusofonia* from its different localities within, and being complicit with an utopia. His accomplice reader, engaged in the writing of her own dream, incorporates a cosmopolitanism that is here synonymous with a *Creole* condition. It is ethereal and liberating. Her language is Eduardo Agualusa's *língua dos sentidos*, an artefact in the construction of tales which authority he is questioning, which centre he is invading; and is a *casa de passagem*, seeking its horizon through *mestiçagem*.

This is an appealing project that is seductively argued for. Yet it is not only transgressive but ambiguous in its promise. It carries its own ghost in its Luso-tropical utopia. Hereby, while seeking new horizons, it reinforces the current Luso-centric hegemonic representation. The language, unessential, mixed and ethereal, hides its cannibalistic force in the shapes of an elegant literature. In his literary journey, Eduardo Agualusa's Portuguese language devours Africa. It gets swallowed and bottled, *toma a forma da garrafa* labelled *Brasil*. ♣

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The changing face of the Zambia/Angola border

Paper prepared for the ABORNE Conference on

'How is Africa Transforming Border Studies?'

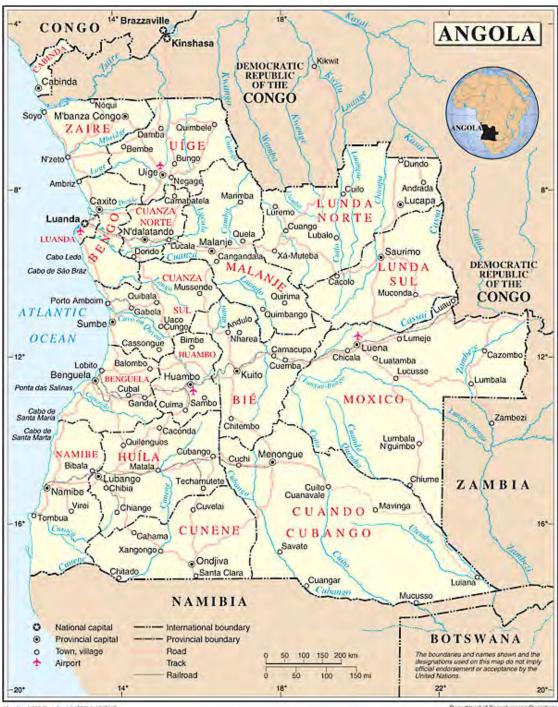*Hosted by the School of Social Sciences, University of the Witwatersrand, Johannesburg, South Africa*

10-14 September 2009

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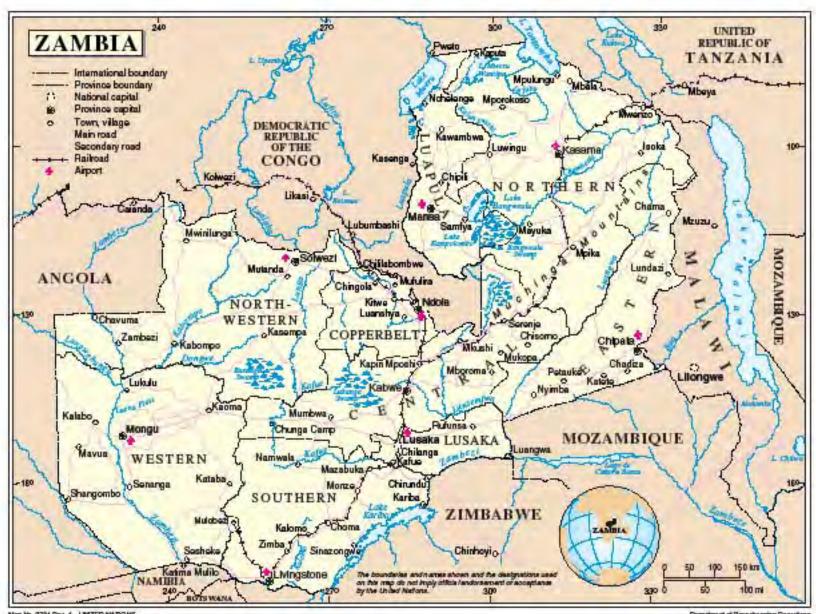**oliver.bakewell@qeh.ox.ac.uk**

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Abstract

The establishment of the border between Zambia and Angola by the British and Portuguese at the beginning of the 20th century changed the nature of migration across the upper Zambezi region but did not necessarily diminish it. The introduction of the border was an essential part of the extension of colonial power, but at the same time it created the possibility of crossing the border to escape from one state's jurisdiction to another: for example, to avoid slavery, forced labour, accusations of witchcraft, taxes and political repression. In the second half the 20th century, war in Angola stimulated the movement of many thousands of refugees into Zambia's North-Western Province. The absence of state structures on the Angolan side of the border and limited presence of Zambian authorities enabled people to create an extended frontier reaching deep into Angola, into which people living in Zambia could expand their livelihoods. This paper will explore some of the impacts of the end of the Angolan war in the area and will suggest that the frontier zone is shrinking as the 'normal' international border is being reconstructed.

ZAMBIA

International boundary
Province boundary
National capital
Province capital
Town, village
Main road
Secondary road
Railroad
Airport

DEMOCRATIC REPUBLIC OF THE CONGO

UNITED REPUBLIC OF TANZANIA

ANGOLA

MOZAMBIQUE

MALAWI

MOZAMBIQUE

ZIMBABWE

NAMIBIA

BOTSWANA

Provinces

LUAPULA
NORTHERN
NORTH-WESTERN
COPPERBELT
CENTRAL
EASTERN
WESTERN
LUSAKA
SOUTHERN

Places

Pweto
Kaputa
Mpulungu
Mbala
Mbeya
Nchelenge
Mporokoso
Mwenzo
Kasenga
Kawambwa
Luwingu
Kasama
Isoka
Kolwezi
Chipili
Chama
Likasi
Mansa
Samfya
Mpuka
Mzuzu
Lubumbashi
Mpika
Caianda
Mwinilunga
Solwezi
Chililabombwe
Lundazi
Mutanda
Chingola
Mufulira
Chavuma
Kitwe
Ndola
Luanshya
Zambezi
Kasempa
Serenje
Chisomo
Chipata
Kabompo
Mkushi
Mukopa
Chadiza
Lukulu
Kapiri Mposhi
Mboroma
Petauke
Katete
Lilongwe
Kaoma
Kabwe
Nyimba
Mumbwa
Chunga Camp
Rufunsa
Luangwa
Kalabo
Mongu
Lusaka
Chilanga
Kafue
Mavua
Namwala
Senanga
Kataba
Mazabuka
Monze
Chirundu
Kariba
Shangombo
Mulobezi
Kalomo
Choma
Zimba
Sinazongwe
Chinhoyi
Sesheke
Katima Mulilo
Livingstone

The boundaries and names shown and the designations used
on this map do not imply official endorsement or acceptance
by the United Nations.

0 50 100 150 km
0 50 100 mi

Introduction

About a century ago, the British and Portuguese finally agreed on the line for the border between the northern portions of their colonies in Zambia and Angola,[1] in the area known as the upper Zambezi. For much of that time the border has marked a line of refuge from colonial taxes, forced labour and – for over forty years from the start of the Angolan revolution in 1961 to the death of the rebel leader Jonas Savimbi in 2002 – war. For much of the war, there was no effective state on the Angolan side of the border, especially since 1982. In some respects the border has appeared to be the frontier between the world of nation states and the chaos of the wild-west, with resources galore – ranging from diamonds to bush meat – for those who dare to face the tremendous risks and try to retrieve them.

The people living on the borderlands of the upper Zambezi have adapted to living on the edge of this world, and incorporated into their daily lives both the dangers and opportunities that it brought. The end of the Angolan war, the rehabilitation of the country and the normalisation of the border are inevitably bringing rapid changes to the area, which are profoundly affecting people's movements, their livelihoods and their national identity.

In this paper, I review the changing role of the border in the lives of the people of the the upper Zambezi. I start by looking at the migratory origins of the Lunda people who moved to the area from the upper Kasai in present day Congo. I then show how the imposition by the colonial powers of the border cutting across ethnic boundaries, changed the nature of movement across the region but did not necessarily diminish it. In particular, throughout the colonial period, people crossed the border in both directions in search of refuge: a pattern which foreshadowed the massive movements of refugees that crossed from Angola during its long war to settle in Zambia. I then reflect on how the end of the conflict in Angola and resumption of state control of its borders is affecting people's relationship with the border.

The paper draws on a study started in 1996 which initially focused on self-settled Angolan refugees living in Mwinilunga District of Zambia's North-Western Province. The research was conducted in villages among Lunda (Lunda-Ndembu) people under Senior Chief Kanongesha near the border with Angola. The study used a range of methods to investigate the nature of the cross border linkages and movements, people's contacts with Angola, the integration of refugees and views towards repatriation. The dataset included interviews with 195 people, both Zambian and Angolan, in which I enquired about any plans to move to Angola once the country was at peace.[2]

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[1] Throughout this paper, I refer to the countries concerned by their modern names. At times this is anachronistic but it avoids any confusion.

[2] In 1996/7 the Angolan government and UNITA rebels were still slowly implementing the 1994 Lusaka Protocol and UNHCR was actively planning for repatriation in anticipation of a lasting peace. These plans were abandoned in 1998 when the country returned to full-scale war.

In March 2008, I had the opportunity to follow up on this study with a very brief field visit to the same area. In the short time available, it was possible only to gather information on the whereabouts of 181 of these respondents (among which there were 21 deaths) and conduct open interviews with a small, unrepresentative sample of people who were present in the village while I was there. I plan to conduct further work to build up a more robust and detailed picture, to verify the details about people's locations and to find out their rationales for moving. However, despite its rather limited nature, this follow up study started to suggest some interesting and unexpected shifts in people's relationship with the border.

Before moving back to the history of the borderlands, it may be helpful to set the scene in more detail. The focus of this paper is the northern half of the border with Zambia's North-Western Province to the east and Angola's Moxico Province to the west, often known more generally as the upper Zambezi. The river Zambezi rises in Mwinilunga district north of the town and flows west into Angola before turning south and re-entering Zambia at Chavuma in Zambezi district after which it starts its eastern flow to the Indian Ocean. The fieldwork was carried out over one year in Mwinilunga District of the North-Western Province of Zambia in a village approximately 50km west of the district town and 8km from the border with Angola. This is a remote area of Zambia about 300km from the provincial capital, Solwezi, and over 850km from Lusaka.

The people of the area are predominantly Lunda (Ndembu), an ethnic group that extends from across the nearby borders into Angola and the Democratic Republic of Congo. The village was set within the area of the Lunda Senior Chief Kanongesha. Large numbers of refugees who fled the war in Angola had to settled in Mwinilunga District among people of the same ethnic group and the process of integration and their interest in repatriation were the main focus of my study (see Bakewell 2000).

The study started when the violence in Angola was ebbing, while there were still some efforts to implement the 1994 Lusaka Protocol that had ended the extreme violence of the "war of the cities," which followed the 1992 elections. While there was an uneasy stalemate during this period, the country remained effectively divided between the patchwork of government controlled areas focused on the west and the provincial capitals across the country, and the extensive area controlled by UNITA, whose strongholds were in the south and east, including the area of Moxico Province, Alto Zambeze District, that borders Zambia.

From 1996 to 1998, UNHCR was making plans for the imminent repatriation of refugees from Zambia. Unfortunately, these preparations had to be abandoned as the situation in Angola deteriorated further and the country returned to full scale war in late 1999. The government launched a major offensive in UNITA's heartland in the south and east of Angola and managed to capture its administrative centre, Jamba. This displaced tens of thousands more refugees into Zambia in December 1999 and throughout 2000, including many UNITA functionaries who had been based in Jamba. With the fall of Jamba, the focus of the conflict shifted to Moxico Province and it was there that the UNITA leader Jonas Savimbi was killed in February 2002. It was

only with his death that the war in Angola came conclusively to an end – a peace agreement was reached six weeks later – and the country held parliamentary elections in 2008 and presidential elections are planned in 2009.

Constructing the Lunda borderlands

There are many uncertainties and disputes about the history and origin of the Lunda people of Kanongesha but all agree that they have deep links with the ancient Luunda kingdom of present day Congo. All the stories of their origins are concerned with migration and reaching new lands where they settle. In common with other peoples of the upper Zambezi the narratives look back to journeys rather than a particular place, an ancestral promised land.

In response to any enquiry about the roots of the Lunda people and their contact with Angola, many older people will usually start with the tale of the departure of Kanongesha from the court of their paramount chief Mwanta Yavwa, a story shared with all the peoples of the upper Zambezi.

> Chieftainess Mwanta Yavwa was married and had children. When her husband died she remarried. When she had to go for menstruation she had to take off the bracelet of office (*likanu*) but one time instead of giving it to her sons she gave it to her husband. Therefore the sons left - the forerunners of Lunda, Luvale, Lozi and Chokwe. When they reached the Katukangongyi stream they split up each taking a different tribe - Kanongesha for Lunda, Chinyama Chamukamayi for Luvale and Liwaneka for Lozi (interview 6/3/97).

These events set in train a migration from the northern Luunda kingdom and the establishment of new chieftainships in the south. They continued to pay tribute to Mwanta Yavwa and even today they are expected to send ambassadors to the ceremony installing a chief for the Luunda. The version of history offered reflected people's claims to power in the present, but, all agreed that the ancestors of the Lunda people moved from Congo and into Angola and from there many have drifted into Zambia. The first wave of departures from the Luunda kingdom are thought to have occurred in the 17th century (Sangambo and M.K. 1984; White 1960: 43). By the mid 18th century the Kanongesha chieftainship had been established in the upper Zambezi in what became Angola, and their area extended into Congo and Zambia, as the Lunda people displaced the Mbwela people that they found there (Pritchett 1990; Schecter 1976).

From these early days of Lunda settlement in the upper Zambezi, trading was well established as an important element of peoples' lives in the region prior to contact with the Europeans. The growth in ironwork, hunting, fishing and cultivation (especially the introduction of cassava) and the emergence of divisions of labour, particularly by gender and ecological region, meant that production often exceeded individuals' subsistence needs and the surpluses were used for exchange. Despite its distance from the Atlantic coast, before the first Portuguese caravans made their way from the coast to the interior of Angola, some manufactured goods, such as the guns

possessed by the Chokwe in about 1750, arrived in the interior considerably earlier than any European visitors (Pössinger 1973; von Oppen 1995). These were spread by the Ovimbundu people of the Benguela highlands who controlled much of the trade across Angola until the Portuguese finally overcame their resistance and established colonial control over their territory. As these links with the coast were established, the Luvale, Mbunda, Chokwe and other peoples showed great enthusiasm for taking advantage of the newly opened markets (von Oppen 1995).

Portugal's main interest in increasing its exploration and involvement in Angola was the procurement of slaves for export to the plantations of Brazil, and the trading routes moved from the coast inland from the 17th century. The success of the Atlantic slave trade relied on the co-operation of many of the African chiefs who traded slaves for imported goods (Miller 1988). In common with many other parts of Africa, slavery was an intrinsic part of upper Zambezi society in pre-colonial times. Slaves were obtained through warfare, exchange for goods and as compensation in the settlement of disputes between people (von Oppen 1995). The Atlantic slave trade brought a new scale and brutality to the practice and very large profits for the chiefs who sold them (Birmingham 1981). Ovimbundu and Luunda slave traders reached further into the interior as far as present day Zambia to find slaves from the *Nganguela*, the people of the east (von Oppen 1995: 61). The Portuguese were reluctant to bring to an end the profitable slave trade but international pressure, including the end the blockading of Brazilian ports by British ships, stopped the Atlantic trade by 1852.

Despite the Portuguese claims that the end of slave exports would ruin the economy of Angola other products, especially ivory, beeswax and rubber, took its place and proved to be more profitable (Henderson 1978). Ivory tended to be under the control of metropolitan merchants and *sertanejos* (small scale Portuguese speaking businessmen, mainly Euro-African) and rapidly took off after 1830 when the Portuguese crown monopoly on the trade was lifted. By 1870 it had been overtaken in value by the export of beeswax, which was traded in units of much lower value produced by larger numbers of Africans. The beeswax trade was in its turn overtaken by the rubber boom of 1870 and 1910. The invention of vulcanization caused a massive demand for rubber in the industrialising nations of Europe and the upper Zambezi had large areas of very high quality wild rubber plants. Thousands of Chokwe, Luvale, Lunda and Mbunda people collected rubber to sell in small balls and sticks to Ovimbundu traders (von Oppen 1995). The rubber trade was accompanied by widespread movement as the Chokwe and Luvale people pushed north and east into present day Zambia in the search for rubber, displacing the Lunda. Besides access to new areas for rubber production the expansion also created significant numbers of slaves for use in transporting goods and domestic trading (Heywood 1987).

While the European powers were very influential in shaping the patterns of trade and migration across the upper Zambezi from the early 19th century, there was very limited European presence or direct control in the region until the early 20th century. Although Portugal considered Angola to be its colony from the 15th century it

controlled very little of the territory until the end of the 19th century and most of that was on the coastal strip (Henderson 1978:106). The end of the slave trade and the productivity of the interior encouraged explorers to move east and call for the extension of Portugal's direct involvement in Angola to promote trade, especially through the development of railways and trading posts and subsidising white settlers to start cotton plantations (Clarence-Smith 1979). However, the major spur for the expansion of Portugal's control in Angola was the increasing pressure from Britain, Belgium and France looking to secure their access to the wealth of raw materials in the 'scramble for Africa'. At the Conference of Berlin in 1884/85 Britain and Portugal agreed the line of the border between their territories except for the upper Zambezi. The frontier between Zambia's North-Western Province and Angola's Moxico Province was only finalised in 1905 with the arbitration of the Italian king (Roberts 1976). The British arrived in the north-west of Zambia in 1906 when the British South African Company (BSAC) established administrative posts (or bomas) in Mwinilunga and Zambezi.

Introducing the border

Thus, the history of the Lunda of Mwinilunga and related peoples is one of migration from Congo, through Angola and across into Zambia. We can very crudely trace a general drift of population from the west and north into present day Zambia in response to the slave trade (both to catch slaves and avoid being caught) and in the hunt for ivory, beeswax and rubber and Kanongesha was no exception to this pattern. What was the impact of the new border on these movements?

Demarcating a line between Angola and Zambia created more than just a new border for the atlas; it introduced the very concept of a such a border to the people. As the history of the Lunda shows, in pre-colonial society in order to escape from the influence of a chief or some other powerful person it was necessary to move until one was out their reach. Power radiated out from centres and distance was the key to escaping from it. Once far enough away from whomever they moved, a migrating group could establish a new home in a new place. If the new land was already populated, they could either place themselves under the authority of the existing society there or conquer it. It was not land that was to be ruled but people (Anderson 1991; James 1996: 13).

However, for the Europeans their power was defined by the territory they controlled. Ruling the people was a way to demonstrate their 'effective occupation' of the land they had been granted at the Berlin Conference. The borders they demarcated defined the extent of their authority. They claimed tribute, in the form of taxes, from all who resided inside their borders, but would not make any such claims for those outside. Instead of fleeing long distances to escape their influence, it was now merely necessary for the Africans to cross a line; people were not slow to recognize this and take advantage. The different Portuguese and British regimes offered both advantages and disadvantages for different people. By judicious crossing of the border it was (and to a certain extent still is) possible to get the best, or at least avoid the worst, of both worlds (Nugent 1996).

Thus, rather than curtailing movement, the border added a new class of movements which might be termed administrative. The most obvious example of this was in the avoidance of taxation. One of the key roles of the British colonial administrator in Zambia was to collect taxes from the villagers and frequently people ran across the border to avoid registration. When taxation was first introduced there was a mass exodus from Zambia into neighbouring Angola and Congo. Similarly, when the Portuguese introduced their taxes, people moved in the other direction (von Oppen 1995: 432) (Pritchett 1990).

Across Angola, although slavery was abolished in 1878, it was replaced by a repressive 'contract labour' system. Under vagrancy laws passed in 1885 'non-productive' Africans could be forced to provide their labour without pay for public works. The use of forced labour for private enterprise was officially illegal but both public and private employers could requisition African labourers. This practice continued well into the 1950s, which also caused many to cross into Zambia[3]. People in Kanongesha recalled the harshness of the system whereby they were forced to go and work on roads, bridges, railways and other projects for no wages and even no food.

> Every adult had to do forced labour, people would be taken in turn from the village. A group might work once per week or even for a whole month. No pay was given but possibly a cup of salt. The workers had to bring their own food. If people hid in the homes they would be beaten and then forced to work and this caused many people to come to Zambia (interview 5/2/97).

The policy caused a massive migration of Angolans into neighbouring countries with over half a million living in exile in 1954 (Bender 1978). The resultant labour shortage increased the demand for contract labour and the system survived until the start of the Angolan revolution in 1961 (Henderson 1978).

The fact that the borders were not made to coincide with the territorial lines of tribes meant that people could move from the colonial administration that troubled them and still stay within the area of their people. Thus, Lunda people could cross the border and remain at home, among relatives and using land to which they had equal rights with their neighbours. Perhaps a combination of a violent colonial regime and borders that respected social and linguistic boundaries would have given the Africans the worst of both worlds, where they could have nowhere to escape from colonial oppression.

In some cases the colonial administration introduced a degree of protection for individuals who could not always rely on it from their own people. Slaves were one such group. The indigenous practice of slavery was very different to the horrific international trade that boomed in the early 19th century. Slaves were paid as compensation in disputes and although they had to work in the gardens of their

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[3] Despite finding that the most common reason given by villages for moving from Angola was the 'harshness of the Portuguese administration,' White downplays it as having 'an element of stereotype' (1960: 3).

owners they were able to acquire property, marry and buy themselves out of slavery. Slave status was passed on matrilineally and over the years a slave lineage could increase to outnumber the free villagers and even take over the headship. However, slaves were not free to move and establish their own villages elsewhere or determine their own future, and revolts were liable to harsh retaliation.

The British made slavery illegal in the areas it controlled, but since the border in the upper Zambezi was demarcated very late, the area became one of the last havens for slavery, and Lunda and Luvale people continued to be captured or sold as slaves. Despite the ban on the practice, it continued for many years but the threat of police action if cases concerning punishment of slaves came to their attention prevented the excesses of slave owners. Turner describes how the breaking away of a slave family from a village was resisted, but accepted for fear of the trouble the villagers would have if they took action and the colonialists heard that slavery was still continuing (Turner 1957: 193).

The missionaries and the colonial authorities shared an abhorrence of witchcraft and it was made illegal within the British territory. Like slavery, the law may have been largely ineffective to stop the practice but it moderated it. Turner provides an illustration of this, where a suspected witch was not pursued through the traditional channels of using a diviner for fear of that he might report them to the authorities (Turner 1957: 114). From the time of their first arrival in 1906, the same year as the BSAC settlement at Mwinilunga, the Christian missionaries provided shelter for those accused of witchcraft and at Kalene Hill a 'refugee colony of witches' was established, consisting mostly old women who had fled from Portuguese and Belgian administered territory (Fisher and Hoyte 1987: 181). Thus the borders enabled those who could cross them to take advantage of the different protection regimes available under the various colonial authorities[4].

The onset of colonialism also caused a new incentive for people to move as they joined the massive labour migration to the mines of the Zambian Copperbelt[5]. For the Lunda, the copper mines were much nearer and all of the accounts that I heard of labour migration were to work in the mines of Zambia or Congo except for one headman who had worked in South Africa. Like so many other migrations before it, this drift to the mines paid little heed to the border, and people from both sides moved to the Copperbelt. On finishing some went back to their villages but there were others who settled in Zambia, either for marriage, other job prospects or to avoid the Portuguese regime. Later the war prevented their return. After Zambian independence in 1964, the routes to formal employment for migrating Angolans were restricted by the need for Zambian papers. In the 1990s, large-scale cut backs in

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[4] I came across no references to slavery continuing in the villages in any form today. However, witchcraft was a daily topic of conversation and cases were frequently brought before the chief. The government has now sanctioned a diviner to investigate cases and he visited the area twice during the period of fieldwork.

[5] Far fewer appeared to have gone from the Upper Zambezi to the larger mines of South Africa, which are much further away.

the mining sector caused newly retired workers to return to their villages and killed any opportunity for young people's employment in the mines. There were still a few young people, especially men, migrating from Kanongesha to town in search of piecework or other informal sector jobs.

The development of large towns in the Copperbelt provided a large market, and in north west Zambia the British administration, cut off from white farmers in the south, 'was lucky in finding a rural population, continually swelled by kindred immigrants from neighbouring Portuguese territory (Angola), which was capable of and most interested in producing substantial amounts of food for sale' (von Oppen 1995: 432). Traders moved back and forth from Angola across Kanongesha to bring meat, fish and other produce to 'town' (as the Copperbelt is known) in exchange for soap, salt, cloth and other manufactured goods, and this trade is still going on today.

The British moved ahead of the Portuguese in providing schools and health care for the African population, albeit largely through the missions. The variation in facilities across the border was another incentive to migration into Zambia from Angola. This is still the case today, as the infrastructure in Angola was hardly built before it was destroyed.

The establishment of the border thus introduced a new set of constraints and opportunities for the people of Kanongesha. It became an important part of peoples' lives as they crossed to avoid taxation and violence, to gain protection or to find jobs, markets, education and health care. The border rapidly became something to be exploited but took longer to gain any significance as a line between people of different nationalities. During the colonial era there was very little control of the border according to all the accounts of the villagers who look wistfully back to the time when the British and Portuguese were in charge and they did not need any papers to cross. This changed with the independence of Zambia in 1964 and the war of independence in Angola; these two factors increased the importance of nationality and control of the borders for both states.

National and ethnic borders

Another aspect of colonial border creation was the demarcation of ethnic boundaries between different groups, in particular by the British. They placed great emphasis on the role of traditional chiefs (as far as they understood it) and gave them an important role within the developing colonial state, particularly as a medium for extracting taxes from the population and exerting control. To ensure the chiefs' co-operation they were given a salary and status within the regime. Colonial officials were only able to decide which chiefs to recognize with the advice of local informants. This process was an opportunity for chiefs to present their histories in the most beneficial way to ensure their inclusion, and inevitably some lost out. The colonial confusion was encouraged by the assumption that tribes and chiefs were associated with territory which could be demarcated.

This process of identifying and formally recognising traditional authorities resulted in the ever changing pattern of chieftainship and headmanship being codified and

recorded as it was understood by the colonial administrators, who assumed that these structures had been static before the 'arrival of history' with the Europeans. Not only did they change the balance of power by recognising some rather than others but they also killed the system's dynamism. Hence, this traditional leadership invented by the British is that which persisted and has been largely unchanged to the present day (Hastings 1997; Pritchett 1990; Ranger 1983). Turner wrote that 'Kanongesha was in the past a ritual rather than a political head, and was never able to exert effective political control over his senior headmen' (1957: 318) but by the 1950s their political power had been much enhanced by the support of the British. At independence the chiefs were courted by the ANC and UNIP and their support was seen as vital in deciding which party would rule the independent state of Zambia.

The British desire to work through chiefs was initially complicated by chiefdoms crossing the newly demarcated colonial borders. Although the colonialists worked with Kanongesha in Angola for some time, in the 1920's they requested that he give control of the Zambian side to one of his sons. In 1926 Mwilombi became the first holder of this newly created Zambian Kanongesha chieftainship and set up his palace very near the border with Angola, at the confluence of the Luisabo and Lushimba streams[6]. The Angolan Kanongesha whose palace is at Lovua is still seen as the senior of the two and when the two chiefs meet the Zambian Kanongesha will show greater respect.

The separation of the Lunda of Zambia from their kin in Angola is a recent product of the imposition of the border and occurred within the living memory of some of the older people. A similar story could be told of the Luvale and Mbunda further to the south (Cheke Cultural Writers 1994; Sangambo and M.K. 1984). The continued contact between chiefs across the border and the exchange of visits ensures that this history is known and new generations are aware of where they have come from in the recent past. Narrators of the Mwanta Yavwa story will refer to the characters as their fathers or mothers bringing the tale closer to the present. This concatenation of the generations may cause problems for historians but helps to give the myth its power as a binding force for the Lunda[7].

Finding refuge across the border

The start of the war in Angola in 1961 caused a massive influx of refugees into Congo as the war erupted in the north of the country but only with the opening of the eastern front in 1966 did large numbers of people move into Zambia. By the end of 1966 UNHCR reported that there were a total of 3,300 Angolan refugees in Zambia

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[6] Other chieftainships were also split in this manner and so, for example, there are now two chiefs Chibwika - the chieftainship often regarded as that of the heir to Kanongesha (Schecter 1976).

[7] For the first time the present Chief Kanongesha presented a ceremony of Lunda tradition in 1997 in which he drew heavily on the story of migration from Mwanta Yavwa. He invited government officials and other chiefs as well as his people who were expected to contribute the labour to prepare the site and also offerings of food for the visitors. This seemed to be an attempt to rival the ceremonies of Lunda Ishinde and Luvale held in Zambezi and boost the prestige of the Kanongesha Lunda.

but during the war of independence most of the refugees came through Chavuma into Zambezi (then Balovale) district of North-Western Province or into Western Province. According to local missionaries there were no major influxes of refugees from Angola into Mwinilunga until the late 1970s.

In Kanongesha, the earliest stories of refugee flows are about the movement from Zambia into Angola at the start of Zambian independence caused by the clashes between the Northern Rhodesian African National Congress (ANC) and the United National Independence Party (UNIP). The third Zambian Kanongesha, Chief Ndembi was a strong supporter of the ANC and when UNIP gained power, led by Kenneth Kaunda, the chief had fled into Angola followed by many of his supporters (interview 27/3/97). The flight of the chief set in motion a train of events that was to destabilize the area for some years as the ANC dissidents were armed by the Portuguese and conducted a number of guerrilla attacks into Kanongesha in the late 60s. As a result of such disturbances, the people of Kanongesha fled from the area close to the border and it has remained depopulated until 1995, when people started to move back to the border area and rehabilitating old paths and village sites.

In 1974 as Angola gained its independence, the new Chief Kanongesha called on people to return from Angola, a call to which many responded. Their years as refugees in Angola could only have served to renew cross border relationships, which may have been eroded by the hardening frontier. New marriages, friendships and restored kinship ties must have been formed by the exiles. Perhaps, the experience of Zambian Lunda as refugees in Angola encouraged them to receive the Angolans warmly when they had occasion to flee in the following years.

At the same time as creating some refugees, Mwinilunga district also received many refugees from Congo. The first wave came with the collapse of the Katanga secession in 1963 and others followed as the Congo remained unstable and violent with further influxes in 1967 and 1977-78 (Leslie 1993).

The majority of people in Kanongesha who fled war in Angola arrived between 1982 and 1986 as UNITA took control of the neighbouring Alto Zambeze district of Angola's Mexico Province.[8] Cazombo, the district capital, and the other local towns of Calunda, Lovua and Cavungu were captured between 1982 and 1986 and many villages were totally destroyed. Cazombo's vital link to the rest of Angola, the bridge over the Zambezi, was blown up deliberately by UNITA to prevent the MPLA and its Cuban allies from returning once they had been driven from the town.

Many people staying in Kanongesha had traumatic experiences as they ran for safety, literally dodging the bullets. Others remained behind as the towns fell or stayed in the villages away from the scenes of the battles, but many followed later as they found the conditions deteriorated. The destruction of the physical infrastructure and the departure of many of the people resulted in the complete collapse of any

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[8] Some Angolan had arrived in Kanongesha in the late 1970s but most of these came to join family or for education; only one person interviewed mentioned the war.

public services in Angola. Although some parents might have felt they could physically survive there and avoid the violence, they were unwilling that their children should have no chance of schooling. Some sent their children to stay with relatives in Zambia for education and others moved with them. For others, sickness was the driving force as they came to Zambia in search of health care and stayed.

During this particularly violent phase of the war in Moxico Province, the numbers of people flowing into Mwinilunga district were at times overwhelming and put immense strain on the local resources, particularly food[9]. In Kanongesha, an emergency programme of assistance was implemented by Catholic Secretariat of Zambia (CSZ) from 1986. Throughout the border area, villagers, officials and other observers frequently commented that the Angolans rapidly settled in the area, worked hard and caused no problems. Nearly all the villagers who expressed an opinion said that were very glad to see their relatives come to stay. Even if the initial difficulties of food were severe (and only a few people claimed that they were), they have long since been forgotten.

The official policy was that the refugees should move away from the borderlands to the Meheba refugee settlement near Solwezi. Any pressure the government may have desired to exert on people to move had to be mediated through the chiefs. In the case of Kanongesha, he did not co-operate at all, so the government policy was not felt by the people. For example, in 1990 government officials from Solwezi came to Kanongesha and announced to the people that all refugees had to go to Meheba or they would be sent back to Angola. However, this threat was immediately contradicted by the senior chief, who stressed that anyone who wanted to stay in his area would be welcome.

For the people of Zambian Kanongesha, and much of the border area of North-Western Province, the arrival of their kinsfolk from Angola in 1980s can be seen as a continuation of journeys started in previous centuries, as the Lunda and related people have radiated out from the Luunda empire. While recognising this continuity, it must not be overstated; the modern influxes have been marked out by new factors. Firstly, they have been generated by modern warfare using technology, which has spread the mass violence and slaughter more indiscriminately and over a wider area that would ever have been possible in earlier conflicts. This resulted in mass movements in a very short time span, as people ran to put a safe distance between themselves and soldiers with long range weapons and modern transport. Secondly, the recent movements since independence have been the first which have provoked direct outside intervention by the government and international community. The arrival of thousands of people in the border areas of Zambia certainly put a massive strain on the local resources for which no experience from the past would have prepared villagers and external assistance was vital to ensure that people survived the crisis.

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[9] CSZ registered nearly 9,400 refugees in Mwinilunga district in 1987 compared to an overall population of 81,500 in the 1990 census.

The extreme violence, scale and speed of movement may have been new but the idea of moving to escape violence was certainly not. Although the process of crossing the border between Angola and Zambia – the immigration formalities and other administration – had little irrelevance for villagers, the border had gained great significance as a boundary of state power. In the same way that the Lunda people express their dissatisfaction with chiefs by moving from their area, they have been able to express their view of the state by deciding on which side of the border to live.

Cross-border identifications

In earlier migrations, many such journeys were one way and newcomers settled to become indistinguishable from those they found on arrival. For those who came as refugees since Zambian independence, this avenue of settlement was formally closed in the government's eyes, but after the historical precedent, many have been able to follow it with the full collaboration of other villagers and the chiefs.

While states may have clear legislation that lays out the definitions of a citizen and the routes to attain citizenship, it is more difficult for them to put these into practice, especially in the remote regions of poor countries far from the centres of state control. In Zambia, at least, the system for verifying people's claims to identity papers rested on local mediators such as village headmen, chiefs and local officials, who often hold views of citizenship at odds with the written codes (Bakewell 2007).

In Kanongesha, it was clear that there was no simple link between a person's sense of national identity and the papers that they hold. Their declaration of their nationality seemed to reflect a range of different ideas of what this mean to them. This range of views came across clearly in interviews and conversations.

Some people would talk of their nationality as a pragmatic issue, saying things like,

> 'while I am in Zambia, I am a Zambian, but if I go to Angola, I will be Angolan;'

> 'this time I am Zambian as my wealth is from Zambia [i.e. house, and fields], but I will become Angolan again.'

Others talked of there being no difference between Zambians and Angolans. For them, the important issue was that they all belonged to the same ethnic group (Lunda, whose 'territory' straddles the borders of Angola, Zambia and DR Congo) or they were relatives. Often a person's nationality would be defined by the papers they held, 'I am a Zambian because I have an NRC'. I have described these people as having a *handheld* idea of nationality; it is something they see defined by papers or location and it is easily changed depending on the circumstances (Bakewell 2000).

In the middle ground were those who described themselves as Zambian or Angolan according to where they had been born or brought up, or where their parents had come from. Their nationality was a reflection of their history, a given fact of life: neither something to be adapted to the circumstances nor revealing a sense of strong identification with their country.

At the other extreme, there is the more affective understanding where a declaration of nationality expresses an emotional bond to the state of which one is a national. In this sense, to say one is Zambian or Angolan is not concerned so much with a legal status but a declaration of a person's identity in the 'strong' sense of a consistent presentation of oneself across time and in different contexts (Brubaker and Cooper 2000: 10). This is a *heartfelt* idea of nationality where a person depicts themselves as feeling Zambian or Angolan, as an attribute that they cannot, nor would they want to change easily. In evidence for such a view were respondents' references to feeling their nationality in the heart, or being '100 per cent', 'full time' or 'pure' Zambian or Angolan. With such a view, people remain attached to Angola despite living in Zambia for many years and in conversation they are likely to speak of their pride or shame in their nation. In particular, some said that although they were Angolan, they were ashamed of the state of their country and its continuing war. Others maintained their national pride by considering the natural wealth and resources in Angola speaking of the ground glistening with diamonds and forests with abundant game animals.

Cross-border livelihoods

Even after more than thirty years of war, the destruction of its infrastructure and the memories of horrific violence which many people suffered there, Angola continued to be seen as a place of wealth and opportunity by the people of the upper Zambezi. Their livelihoods are largely based on subsistence cultivation, hunting, fishing and gathering and the under-populated bush in Angola offered supplies of bush meat, fish, honey, mushrooms and caterpillars, beyond anything available in Mwinilunga. There are also trading opportunities, especially since Alto Zambeze district was cut off from the rest of Angola. Many villagers in Kangongesha complained that the only way for them to obtain cash was to cross into Angola.

Bush meat is prized by the Lunda people as the best meat but there are very few animals left in North West Zambia outside the game management areas, which are a considerable distance away and policed by Zambian game guards who deal roughly with poachers. Hunters preferred to try their luck in Angola, where they risked a more unpredictable encounter with UNITA. While there was no effective government in Angola, hunting was not controlled at all, as UNITA's interest in stopping hunters is not to prevent them killing the animals but rather to take their portion of the kill. The Angolan district of Alto Zambeze has a very low population density and the war effectively emptied the land adjacent to the border. As a result there were more wild animals still in the bush and hunting was more common. Those who ran to Zambia brought with them their hunting skills and their knowledge of the terrain across the border, which they shared with their Zambian hosts. Groups of hunters regularly set out across the border armed with military guns (such as AK47s or G3s often rented from UNITA), locally made muzzle loaders (with home-made ammunition), or wire (made from bicycle brake cable) and nylon string (made from old maize sacks) to make traps. It was not uncommon for these hunting parties to go deep into the bush for days and still return with very little, but a successful trip could be very profitable.

There is more scope for fishing in Zambia and it is common among the Lunda for people to move out the village to set up fishing camps nearer the larger streams by the border with Angola, where they may stay for some weeks. Many were also crossing into Angola to reach the larger rivers and the better supply of big fish. Some women would go across on short trips, but men made much longer visits to set up camps from which they attempted to catch large quantities of fish that they could dry and sell. As with hunting, fishing parties faced the danger of encountering UNITA and losing their whole catch (and all their other belongings) to the rebels.

The thicker bush in Angola contained an abundance of the other natural resources that are coming under more pressure in Zambia. Many beekeepers set hives over the border and honey hunters were more likely to find natural hives in Angola. The women who collected caterpillars and mushrooms also went across the border where there were more to be found. All these activities seemed to be limited to the bush close to the border and tales of such trips did not usually involve any contact with UNITA or large settlements but they fear of encountering the rebels was always in their minds.

There was also a growing cross-border trade. Although the prospects for marketing agricultural surpluses from the areas are limited, the 'bush' products of meat, fish, honey, caterpillars and mushrooms could all be profitably sold in town and those who get sufficient will travel to the markets of the Copperbelt. While many people from Kanongesha would cross into Angola to gather these bush products, it was a risky and time consuming business and there are many who preferred to leave the gathering to people in Angola and go across only to buy the goods from them.

Cazombo, the district capital of Alto Zambeze, has been almost completely cut off from the rest of Angola since the bridge across the Zambezi was destroyed in the 1980s, and the only access from Luena, the provincial capital, is by air. In addition since Alto Zambeze was still controlled by UNITA, it was difficult for local people to move to other areas which were controlled by the Luanda government. As a result, most of the supplies for people in the area came from Zambia. In 1997, there was one road that had been de-mined and repaired in preparation for the repatriation of refugees from Meheba, but very few private vehicles used it. Instead there was a constant flow of people with bicycles moving through Kanongeshsa on the main path to the border carrying large bundles of clothes, chitenges, soap, salt, bicycle spares and many other basic manufactured goods. Much of the trade was carried on a barter system and traders usually return with meat and fish. Some purchased goods for Zambian kwacha and regular traders have reported that the use of cash was increasing. However, the Angolan currency, the kwanza, was still not available, and the only other form of money was US dollars, which were paid to UN and NGO staff.

Traders reported that they had to pay "taxes" to UNITA when they wanted to trade in the settlements such as Calunda and Cazombo and they regarded this as evidence of UNITA harassment. When traders come from Angola to Zambia through Kanongesha they faced no such taxes, as long as they are not moving to the

municipal markets. Despite such expenses, it was still seen as a profitable trade and a way of obtaining meat and fish without resorting to long and potentially fruitless and dangerous trips in the bush. Many of these traders come from other parts of Mwinilunga district and many Angolan refugees pass through on their way to bring supplies for Meheba. Traders reported that they could buy a piece of bush meat in Cazombo for 1,000 kwacha and in Kanongesha it would sell for over 1,500 kwacha; taking it further into Zambia would increase the value, with the best prices found in the Copperbelt.[10]

Cross-border movement

The strong historical, cultural, social and economic links with Angola were reflected in the steady flow of people back and forth across the border throughout the year. The movements ebbed and flowed according to the situation in Angola and as it improved more people were visiting. In 1997, about 58% of men and 22% of women interviewed had visited Angola in the past year for one reason or another. Many of these trips were into the bush and did not involve any contact with UNITA and even fewer had any dealings with the Zambian authorities.

Some of the people were adamant that they would only ever visit Angola rather than settle, whatever the situation there in the future. However, many people expressed great interest in settling in Angola if it achieves a stable peace. Everybody in the villages and elsewhere in Zambia recognized the draw of Angola and they were anticipating a significant drop in population in Kanongesha and the other border areas of Zambia when the situation improved in Angola.

The post-war reconstruction of the border

However we analyse the international border between Angola and Zambia, with the end of the war in Angola, its nature and significance for different actors has fundamentally changed.

First, while for decades it has marked a line of safety for refugees under international law, Zambia is no longer under the same obligations to receive Angolans in its territory as *de facto* refugees. This not only changes the prospects of those who may wish to seek asylum in Zambia but it calls into question the position of Angolan refugees.

With the end of the war in 2002, UNHCR moved rapidly to re-establish its repatriation plans, including those living in the border villages. UNHCR and the Zambian government attempted to register self-settled refugees for return to Angola between 2003 and 2006. Teams of officials visited the villages and asked for those who were interested in repatriating to Angola to come forward. None of the respondents reported any pressure being exerted on people to register from their

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[10] Although taking bush meat deeper into Zambia ran the risk of being caught by the game guards who sometimes checked vehicles on the main roads.

neighbours, the headmen, the senior chief or even the officials conducting the exercise. One Angolan couple said that they personally knew the officials involved, invited them to their house during the registration process and took their advice not to repatriate. The senior chief reminded people about the lack of health services and education in Angola and discouraged people from registering. Therefore, it seems reasonable to believe that those who came forward did so voluntarily.

UNHCR assisted the return of 74,000 Angolans from Zambia between 2003 and 2007. According to UNHCR's statistics the number of Angolan refugees fell from the peak of 220,000 at the end of 2001, of which only 90,000 were receiving assistance) to 43,000 by the end of 2006, of which 18,500 were receiving assistance. This suggests that the number of self-settled refugees has fallen by over 100,000.

Second, while the process of repatriation may not have unsettled those who want to stay in Zambia, it may be harder to maintain cross-border identifications. The term 'Angolan' is shifting from being associated with refugees and the stigma of war to referring to a 'normal' nation state. During the war, it was possible for people in Zambia to declare themselves to be Angolan without further explanation for their presence. Today, we might expect to see a greater correlation between people's declared nationality and officially recognised nationality. There were some indications of this occurring in interviews during 2008, where people who used to describe themselves as Angolan now talked of being Zambian.

Will national identities start to assert themselves over the cross-border Lunda and Luvale identities? The war and the institution of asylum for Angolan refugees in Zambian have perhaps maintained a level of ambiguity about national identity in the Upper Zambezi. This may be ambiguity may be reduced by the hardening of the border and an associated hardening in mental boundaries between Zambians and Angolans. However, identity is not necessarily a 'zero-sum' as Miles shows in the case of the borderline Hausa: "feeling more and more Nigérien/Nigerian does not result in diminishment of their 'Hausa-ness.'" (Miles 2005: 316).

Third, as described above, despite the significance of the border as a line of refuge, the borderlands were a zone of considerable interaction. This frontier spread deep into Angola's Moxico beyond the reach of both the Zambian and Angolan state (Howard and Shain 2005; Kopytoff 1987). The end of the war and the expansion of the Angolan state has squeezed this frontier and reduced the opportunities it represented for those living near the border.

We might expect that with the end of the war, movement into Angola would become easier as the border was normalised. However, the initial responses from those living in Kanongesha suggest that the opposite is true. In 2008 people reported that it was now much tougher to negotiate with the border patrols and immigration officials that they now find in Angola. As one respondent put it, it is much harder to go hunting and fish now 'the government is at work'. It is clear that the people of Kanongesha had developed a working relationship with UNITA over the years (despite the fact that many of them had fled Angola to escape when UNITA captured

Alto Zambeze in the early 1980s). They may still be struggling to build up a similar flexible and accommodating relationship with the Angolan government officials, who are much more recent arrivals to the area. However, the cosy contacts with UNITA may be never by replicated with the government, as the former had a much greater need of the supplies they could obtain from Zambia for their survival in the area.

The barter trade in basic manufactured goods exchanged for meat and fish seems unlikely to be sustainable in a peaceful Angola. The growth in population in Angola is likely to increase the market for natural resources in the country and may also exceed the available supply, leaving far less available for local barter. It seems likely that there will be a 'professionalisation' of trade, with an increase in scale and formality of trading practices. As the transport links from Zambia improves, it seems inevitable that more goods will be moved in by car and truck, dramatically increasing the supply of manufactures, bringing down prices and reducing the opportunities for profits by bush traders.

The reconnection of Alto Zambeze to the Angolan state will also affect the opportunities for local people to trade. The informal and somewhat arbitrary system of UNITA extraction of 'taxes' on traders and others from Zambia, will be replaced by a nominally clearer system of formal taxation on purchases, imports and exports (c.f. Miles 2005: 307-309). On the one hand, this may increase the costs of doing business for all traders. On the other, tax collection is likely to be focused on main towns, routes and crossing points, and it is hard to envisage civilian tax collector moving deep into the bush, as UNITA soldiers used to do. This may create an advantage for the informal bush traders who can continue to use the 'private roads' and smuggle their goods in and out without paying the taxes levied on vehicle traffic. However, the reports given in 2008 suggested that the use of the 'private roads' has declined and people talked of the need to obtain papers and cross via the 'immigration routes'.

In due course, if (or when) the bridge over the Zambezi at Cazombo is reinstated, the trade could be reversed as imported goods start to flow from the Angolan coast into Zambia. This could have major implications for the north-west of Zambia as the roads to Mwinilunga and Chavuma that currently reach a dead end at the border with Angola could become important routes to the south Atlantic. The local barter trade may be replaced by the greater trading opportunities of living near the highway. One of the major complaints of people living in the area is that they are too far from the nearest major markets in the Copperbelt to sell their agricultural products; this may problem may be mitigated by the improved transport links to the border area (c.f. Miles 2005: 311).

Fourth, not only has the day to day crossing of the border changed, but also the prospects of longer-term settlement in Angola. In 2008, I heard that 30% of my respondents about whom I had reports had moved to Angola; a third of these had been born in Zambia. Of course, the correlation between people's intentions and their behaviour was not as neat as these figures might suggest. These preliminary

results showed that only half the people who have moved to Angola had planned to do so in 1998. Moreover, only about half of those who said in 1997 that they intended going to Angola to stay had moved by 2008. The increased difficulty in crossing the border, especially the perceived harassment from Angolan border patrols, and the lack of basic services, in particular schools, were among the reasons people cited for their change of plans. I also spoke to a few people who had made the move and found that it did not work out as expected, so they had returned to Zambia.

It was clear in 1997 that that the process of moving to settle in Angola would be a long, slow, flexible process with no clear beginning or end rather than an event. People are going back and forth across the border continuously. Some are described as having 'one foot in Zambia and the other in Angola' and their weight shifts from foot to foot all the time. There is no clearly defined time when they have finished their migration. For households it is even more drawn out as different members move and others may follow in future months or years. At times the migration may herald the dissolution of the household as one partner moves (usually the husband) and the wife may choose not to leave or not be invited.

There has certainly been a shift of population to Angola since the end of the war and that shift seems likely to continue as conditions their improve. However, preliminary findings suggest that movement is not on the scale of the depopulation of the border areas which was anticipated by many in 1997

Conclusion

Here it is only possible to sketch some of the possible transformations in people's relationship with the border as Angola consolidates its peace. Certainly my initial expectations of finding that there was more cross-border trade and movement have been confounded and make me confident that there is a fascinating process of border reconstruction under way. More in-depth research is required both to verify these preliminary findings and to address some of the questions raised by them.

The border infrastructure of immigration and customs posts, paperwork and other controls will inevitably increase. This may be taken as a positive sign of development which allows people to put aside their precarious cross-border livelihoods in favour of new opportunities. It may also increase the importance of national identity on each side of the border, bringing to end the ease (or at least informality) of movement that was possible in pre-colonial times and could continue as long as Alto Zambeze remained largely a no-mans land beyond the reach of formal state structures. At the same time it may also bring new forms of borderland identities that straddle the lines on the map.

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"We see ourselves as unlucky because of the kind of border we have."

Militarized peace along Sudan's southern borders

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1.   Abbreviations

CPA	Comprehensive Peace Agreement
DRC	Democratic Republic of Congo
GoS	Government of Sudan
GoSS	Government of Southern Sudan
GoU	Government of Uganda
LRA/M	Lord's Resistance Army/ Movement
SD	Sudanese Dinar
SP	Sudanese Pound
SPLA/M	Sudan People's Liberation Army/ Movement
UGA	Ugandan Revenue Authority
UGX	Ugandan Shillings
UPDF	Uganda People's Defense Force

2.   Introduction

Residents along Sudan's border with Uganda can barely recall what it means to live in peaceful times. Uganda's north—its most troubled region—and Eastern and Central Equatoria, Sudan's states along the Ugandan border, have suffered decades of violent conflict. Vast areas of this border region were for years classified as no-go areas for aid organizations, leaving local residents without help for survival. This also means that they had to arrange themselves with the specific conditions of living along a border that had become an import/export point of violent conflict.

Further west, memories of peaceful times are stronger. Along the border of Sudan's Western Equatoria with the Democratic Republic of Congo (DRC), Sudan's war was less fierce, with most fighting going on in the very north of the state. Trade across the Sudan/DRC border—where residents speak Zande on either side—was thriving, albeit limited by poor transportation infrastructure. In the more remote Maridi area, DRC and Sudan are only connected by three paths that are barely passable by car and vanish in Garamba National Park. Congolese citizens used to bring coffee and honey into Sudan, while Sudanese traded salt and soap in the DRC. However, residents of this area look with a certain envy to those sharing a border with Uganda, feeling that their own border with DRC does not afford them the same opportunities as seen further east, despite the influx of violence from Uganda. Here, having a border with vital transport routes is seen as a distinct advantage. Hence lack of border exchange is a source of deprivation, as one senior church leader in Maridi described:

> We see ourselves as unlucky because of the kind of border we have. Because in Yei [a Sudanese town with closer access to Uganda], they have an open border with DRC and Uganda. They can improve their trade and education. Same in Kajo Keji [a Uganda/Sudan border town] and so on. With us here, there is no cross-border trade, no road. The road will help people from here and Congo and bring goods. And it improves standards of living and educations because in difficult times you can go and get the education on the other side.[1]

In this paper, we will explore how the border offers both opportunities by being a gateway and also poses a threat. Although the Government of Sudan (GoS) and the rebel Sudan People's Liberation Movement/ Army (SPLM/A) signed a Comprehensive Peace Agreement (CPA) in January 2005 after nearly two decades of civil war, perceptions and realities of peace in southern Sudan vary greatly from region to region. Yet, a peace agreement in one country has a profound impact on its neighbours, as is manifest along Sudan's borders with both Uganda and the DRC.[2]

This article looks at the seemingly contradictory developments along the border region, where official 'peace' in Sudan has in fact strengthened militarized structures. Using fieldwork data gathered in Uganda and Sudan,[3] we will examine how the CPA changed the everyday lives along one of Africa's most violent 'frontiers'.[4] Most research suggests

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[1] Interview with Bishop Justin Badi Arama, ECS Diocese of Maridi. Conducted by Mareike Schomerus. Maridi: 27 February, 2009.

[2] Just like a peace agreement has a profound impact, so of course have war times. With all three countries having experienced prolonged warfare, people movement across borders has been a major feature of this border area. In addition, connections are enhanced because the same tribes live across the borders, some as Sudanese citizens, others as Ugandans. Concepts of citizenship become blurred in everyday reality.

[3] Fieldwork for this article was conducted in Sudan by Mareike Schomerus between 2006 and 2009 and in Uganda by Kristof Titeca between 2006 and 2009.

[4] Van Baud defines a frontier as 'peripheral regions which existed far from, and often in opposition to the political centre in the state capital' Martin van Baud, "State-building and borderlands," in *Fronteras: Towards a Borderless Latin America*, ed. P van Dijck, A Ouweneel, and A Zoomers, *Cedla Latin America Studies* (Amsterdam: 2000), 50. The Uganda-Sudan border poses a particular version of this definition, based on the structure of proxy wars that has marked the region. While the Government of Uganda (GoU) for years supported the SPLA, the GoS supplied the Ugandan rebel Lord's Resistance Army (LRA) with resources and shelter. The peripheral region of Eastern Equatoria in Sudan, for example, was hence at once isolated from the political centre in the capital Khartoum, yet it hosted Khartoum-friendly forces as well as the SPLA and even the Ugandan army, the UPDF. See: Gerard Prunier, "Rebel movements and proxy warfare: Uganda, Sudan and the Congo (1986-99)," *African Affairs* 103, no. 412 (2004).; Mareike Schomerus, *Violent*

that trade acts as stabilizing force. (Bates and Sunman 2007) Strengthening trade or particularly cross-border trade is usually seen as a major building block for peacebuilding, or indeed as one vital starting point to commence peacebuilding. Yet our research shows that this is not necessarily the case in a militarized unstable environment in which a possible sequence of peacebuilding blocks becomes rather muddled. Because even when clear 'peaceful' trade structures are not yet established, trade is of course ongoing. This in term means that rather than progressing in a clean sequence from peace agreement to stable trade structures to trade as a stabilizing force, in reality the post-peace agreement trade structures are strengthened, thus making trade a very unstable aspect of everyday life for most of the traders, except those who had found themselves in powerful positions prior to the peace agreement. The border is in many ways "both a source of tension and a lifeline", (Schomerus 2008a, 31) promising potential trade benefits but presenting a reality in which trade benefits few while the border itself provided a gateway for armed groups and territorial disputes.

The signing of a peace deal in Sudan has merely shifted power relations between the military and civilians, rather than re-defining them.[5] The military—both in its representation through individual soldiers as well as structures of control—remains the defining factor of everyday life, infiltrating each aspect of the practices that constitute the border from trade to resource exchange and security.[6] These manifest themselves in unofficial and often violently enforced taxation, real and perceived unequal trading opportunities as well as strong pressure on Ugandan border towns where residents from other countries seek out available services. Experiences from Arua town, Yambio and Ikotos County are exemplary for experiences in other border towns, for example Gulu and Koboko in Uganda or Nimule, Yei and Kajo-Keji in Sudan, where structure and organization were similarly affected by shifting regional dynamics.

Despite all tension, residents on both sides of the border are aware of the interdependency, feeling a pull towards the other side that is informed either by shared language or tribal connections, but also experiencing factors that complicate the border relationships. The border has become defined by the interactions of people on both sides

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Legacies: Insecurity in Sudan's Central and Eastern Equatoria (Working Paper 13). Human Security Baseline Assessment (Geneva: The Small Arms Survey, 2008b).

[5] There are obvious effects of a peace deal on border areas that have experienced mass population movements and changing military loyalties of local populations over such prolonged time. One dangerous consequence of peace in a neighbouring country is pointed out by Jackson who describes how "a cohort of former youth fighters" is dumped "onto regional markets…seeing little other livelihood option than re-mobilisation in a neighbouring war". S Jackson, "Borderlands and the transformation of war economies: lessons from the DR Congo," *Conflict, Security and Development* 6, no. 3 (2006): 426. Due to the special circumstance along the Uganda-Sudan border, it is unlikely that remobilisation of former LRA or SPLA soldiers in the neighbouring countries will pose a major problem. However, it does point to the fluid nature of LRA membership, which often meant for Sudanese in the LRA-affected areas that they used LRA membership as a protection mechanism. Mareike Schomerus, *The Lord's Resistance Army in Sudan: A History and Overview (Working Paper 8). Human Security Baseline Assessment* (Geneva: The Small Arms Survey, 2007).

[6] The fact that military practise have come to define this border area stems from the realization that border lines are in fact strict lines of separation but can be considered merely 'ideal lines' which do not hinder the movement of people and goods. Michele Acuto, "Edges of the Conflict: A Three-Fold Conceptualization of National Borders," *Borderlands* 7, no. 1 (2008). Border areas are therefore "scenes of intense interactions in which people from both sides work out everyday accommodations based on face-to-face relationships." Martin van Baud, "State-building and borderlands," in *Fronteras: Towards a Borderless Latin America*, ed. P van Dijck, A Ouweneel, and A Zoomers, *Cedla Latin America Studies* (Amsterdam: 2000), 42.

of the border who have developed their own mechanisms that are—even on an official level—only vaguely influenced by the respective country capitals.

Yet with the state as it is traditionally represented and understood in country capitals largely absent in everyday border relationships, have local residents been able to 'translate' the peace agreement into an everyday experience? How have opportunities, threats and possible solutions changed since the CPA? Or in other words, how does 'peace' translate in a border area used to warfare on both sides of a border?

We will look at this question by examining in more detail how life has changed since the CPA—and also since northern Uganda has become more peaceful since the Lord's Resistance Army (LRA) effectively left the area to move further west in 2006. Aspects of life we will examine are trade and price developments, pressure on public services and the experience of cross-border traders, namely Ugandans in Sudan.

2.1. Life across borders

Living along an international border provides the residents with unique challenges as well as unique opportunities and benefits. As potentially beneficial, residents identified improved trade and employment opportunities across borders, facilitated by easy means of transport, access to education and health services. As communities, they felt they had a unique change for international interaction in 'a spirit of togetherness', including pursuing joint cultural activities and cross-border peace initiatives.[7] This is enhanced by the fact that there are similar ethnic groups on the different sides of the border with a history of trade relationships.[8]

But living along the border also comes with challenges, namely heightened security concerns due to a lack of trained police and immigration personnel and unpredictable movements by own and foreign armies. Armed smuggling is a major threat, made more difficult to tackle due to unclear borderlines, which in turn have limited civilians' freedom to move along disputed areas and lead to arrests. Unclear immigration regulations, including unpredictable customs charges and what are seen to be unfavourable exchange rates make trading across the border very difficult. In addition, rather than working in 'a spirit of togetherness', the reality of the cross-border relationships is that they are often marred by 'an attitude of revenge towards one another' and—at times—language barriers.[9]

The Sudanese and Congolese view the border as threatening because Uganda continues to export its own conflict into Sudan.[10] Uganda's LRA for years used the area as a transit area, moving in and out of northern Uganda from here, bringing with it the presence of

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[7] Mareike Schomerus fieldwork notes "Border posts Tseretenya/ Magwi", Ikotos and Magwi Counties: June, 2008.

[8] Kate Meagher, "The hidden economy: informal and parallel trade in Northwetern Uganda," *Review of African Political Economy* 47 (1990). Kristof Titeca, *The 'real' regional economic trade between North-western Uganda, Southern Sudan and North-eastern Congo.* (forthcoming).

[9] Mareike Schomerus fieldwork notes "Border posts Tseretenya/ Magwi", Ikotos and Magwi Counties: June, 2008.

[10] Sudan's border states with Uganda have experienced and still experience different armed conflicts with the LRA, the SPLA, the SAF, various armed groups or tribal militias and even through the presence of the UPDF. The UPDF was officially allowed into Sudan to chase the LRA in 2002, although they were present much earlier than that. Officially their mandate to be in Sudan expired in 2006, but troops are still present to supposedly fight the LRA. Tribal cattle raiding also remains a major problem, with at times Kenyan and Ugandan cattle raiders crossing the border into Sudan.

the Ugandan army (UPDF) in the border areas. Currently, the LRA is present along the border of DRC/Sudan and CAR where they are also being followed by UPDF. Due to influx of armed groups and national armies, citizens of each side of the border criticize the other country for keeping the area in a state of insecurity. Northern Ugandans assign blame to the SPLA, the Government in Khartoum and even Sudanese civilians for keeping the war in northern Uganda alive. Sudanese civilians—often of the same tribe as those living in northern Uganda—in affected areas accuse Uganda for deliberately keeping the war going by indirectly supporting the LRA's stay in Sudan through lacklustre army protection and maintaining a state of low development in Sudan.

On the other hand, the border also provides opportunity to seek refuge in Uganda or to trade.[11] Unlike in Sudan's Eastern and Central Equatoria, where locals see their border with Uganda as both an opportunity and a major threat, the attitude towards living in border territory is generally positive in Western Equatoria.[12] "We have always co-existed with DRC," said one Western Equatoria government official. "We have roads that have existed, people have been using it for centuries."[13]

Currently, the three countries all find themselves in similar situations of unreliable peace. Although the war in southern Sudan is officially over, the everyday experience of peace is a lot less clear-cut than the peace agreement suggests. In Eastern and Central Equatoria, residents still feel threatened by Sudanese armed groups, the possibility of a return of the LRA and the presence of the Ugandan army (UPDF).[14] Long-standing community conflicts create a volatile and distrustful environment. Western Equatorians, who experienced much less fighting during Sudan's official war, have become the centre of LRA violence and ill-fated military efforts to kill the LRA.[15]

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[11] Entire villages in the Equatorias were displaced to Uganda, where usually Sudanese would live in refugee camps alongside internally displaced Ugandans.

[12] In the current situation, however, with a rapidly deteriorating security environment, trade has all but ceased. Prior to this, with trace picking up all along the border, the very limited means of transport have meant that most trade originates in Uganda or Khartoum, rather than being a stabilizing and local cross-border enterprise.

[13] Interview with Grace Datiro, Minister for Social Development, Western Equatoria State. Conducted by Mareike Schomerus. Yambio: 25 February, 2009.

[14] Local residents continue to report that armed groups cross into Sudan from Uganda. These are not identified, but have reportedly stolen cattle and other goods.

[15] Operation Lightning Thunder, launched by the UPDF against the LRA on December 14, 2008, is generally criticized as having been ill-conceived and executed. The operation was planned jointly by the UPDF and the US military. By mid-2009, its major objective of arresting the LRA leadership was elusive. Instead, the operation failed to provide adequate protection, leaving hundreds of thousands of civilians displaced and vulnerable to ongoing attacks. This criticism was shared both by organizations supporting the military strike against the LRA (Noel Atama and Julia Spiegel. Enough - the project to end genocide and crimes against humanity. "Finishing the Fight Against the LRA". Washington, D.C.: May 12 2009. ;Human Rights Watch. "The Christmas Massacres: LRA attacks on Civilian in Northern Congo". New York: February 2009.) and those advocating a political solution over a military approach (Nico Plooijer and Joost van Puijenbroek. IKV Pax Christi. "How enlightening is the thunder? Study on the Lord's Resistance Army in the border region of DR Congo, Sudan and Uganda". Utrecht: February 2009. Mareike Schomerus and Kennedy Tumutegyereize. Conciliation Resources. "After Operation Lightning Thunder: Protecting communities and building peace". London: 2009.)

3. Negative Effects across the border

3.1. Cross-border trade

Border trade is a major determinant in the lives of border residents and thus becomes a major indicator in evaluating the effects of peace. Since the CPA, trade between Uganda and Sudan has flourished. Decades of war have severely affected the production capacities for both manufacturing and foodstuffs in Sudan; infrastructure remains basic, limiting local supply. The lack of reliable and safe roads constitutes a major obstacle to agricultural production and consumption, even more so where there are strong regional production differences. Both formal and informal exports from Uganda to Sudan increased tremendously:[16]

	2005	**2008**
Formal exports from Uganda to Sudan	US-$50,487, 398	US-$ 245,874,768
Increased by		five times
Informal exports (smuggling) from Uganda to Sudan	US-$9,119, 274	US-$929,904,587
Increased by		100 times

(Uganda Bureau of Statistics 2009)

Increased demand in southern Sudan is also fuelled by the arrival of aid agencies. Moreover, the demand for goods has become even greater due to the return of large numbers of displaced people. (Keen and Lee 2007, 12-13) Juba's urban pull attracted aid agencies, returnees and foreign opportunity seekers alike. This does not come without its problems. In the past, interviewees said, the border allowed good access to markets in Kitgum and Lira, which were both good places to go and trade. Today, the biggest markets are Juba and Kampala and the local markets have lost significance, which residents particularly in Sudan see as a drawback to war times when power and resources where centred around Khartoum. (Schomerus 2008a) This is especially problematic when taking perceptions into account for peacebuilding. The perceptions we found along the border are mainly driven by the idea that Sudan is now becoming an even more centralized country, with two centres of power: one in Khartoum, one in Juba. This has severe implications for the SPLA/M's image among the local population in Sudan who do not share tribal or party membership connections, but see the SPLA/M as a force as hostile to their interests as Khartoum. (Branch and Mampilly 2005, Schomerus 2008b)

There are also other challenges in this cross-border trade: from the point of view of Sudanese civilians living along the border, engaging in cross-border trade is a major challenge.[17] They have few goods to offer on Uganda's border markets and taking them across the border is extremely costly due to seemingly random taxation and custom

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[16] This big increase could also signify the improvement in methodologies to track informal exports. Nevertheless, these figures still highlight the huge increase in informal trade.

[17] For a more detailed discussion of these issues, please refer to Mareike Schomerus. Conciliation Resources. "Perilous border: Sudanese communities affected by conflict on the Sudan/ Uganda border". London: November 2008a.

charges and controlled immigration fees. To cross the border, each Sudanese—unless visibly ill—has to pay the Ugandan authorities UGX 25,000, even if it is a student returning for education. Yet Sudanese small-scale traders report that additional charges and customs can be highly unpredictable, curbing most of small-scale trade.[18] [19] Many of the jobs in the petty trade in southern Sudan are taken by Ugandans, which leads to major frustration among the low-income Sudanese (see section on Ugandan traders in Sudan). The biggest group of low-income Sudanese therefore only have little opportunities to engage in the cross-border trade and are facing additional difficulties: Whereas prices of basic goods and foodstuffs have increased strongly, salaries have not. The ones with most difficulties are the people residing in town with no access to agricultural land, as they have to buy their foodstuffs.[20]

In this situation, the picture that emerges of cross-border trade is far from being a stabilizing factor because it is primarily the wealthier Sudanese who are benefiting from the opened border because they come with enough capital to invest in the cross-border trade. This capital is not necessarily monetary: being a member of any of the Sudanese security agencies acts as its own currency. Being a member of a Sudanese security forces has become a major source of income because it allows office-holders to demand 'informal fees' from transiting traders; and allows them to engage in the cross-border trade themselves.

3.1.1. Prices and demand in Uganda

The increased trade with Sudan also had a strong effect on border towns on the Ugandan side of the Ugandan-Sudanese border. The town of Arua is a good example. Arua is located in North-Western Uganda, close to the (Eastern) Congolese and (Southern) Sudanese border. The CPA majorly boosted the town that has become a hub in the trade with southern Sudan: Sudanese traders come to buy their goods in Arua, while non-Sudanese traders use Arua as an entry point to southern Sudan.[21]

Increased demand from Sudan has created problems in Arua since trade picked up from mid-2005 onwards, once the CPA had gained some credibility. Prices have been profoundly affected:

Table 1: Prices of basic goods in Arua before and after the increased trade with Southern Sudan, after the Comprehensive Peace Agreement[22]

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[18] A crate of beer, for example, in June 2008 incurred customs charges of UGX 40,000 UGX. A crate usually sells in Juba for UGX 62,500. The result is that local small-scale trading, which could be a stabilizing factor in the border region, is discouraged. In addition, currency trading has further discouraged small-scale trading in goods as trading currencies becomes more profitable due to high customs charges on goods.

[19] Mareike Schomerus fieldwork notes "Border posts Tseretenya/ Magwi", Ikotos and Magwi Counties: June, 2008.

[20] People living in rural areas often rely on subsistence farming and are therefore not so much affected by the increases in food prices.

[21] The district chairman summarizes the impact of the trade with Sudan "Arua is a hub attracting trade and investment! Arua has been overwhelmed with work. There are so many people coming, there is an influx of people! There is an explosion of business!" Interview with LC 5 chairman. Conducted by Kristof Titeca. Arua: January 31 2008

[22] This overview is based on Kristof Titeca fieldwork notes "Market survey", Arua, 2008c.

Prices in UGX	Price *before* the increased trade with Southern Sudan (beginning 2005)	Price *after* the increased trade with Southern Sudan (February 2008)	% increase
Cement (bag)	17,000	27,500	62%
Iron Sheets	11,500	17,500 – 26,000	52% - 126%
Nails (1 kg)	1,200	3,500	192%
Flat Sheet	40,000	67,000	92%
Batteries (box)	35,000 – 40,000	75,000 – 85.000	112 - 114 %
Sugar (50 kg)	36,000	65,000	81%
Matchboxes (box)	18,000	40,000	122%
Candles (box)	18,000	30,000	66%
Soap (box)	11,500	25,000	117%
Soda (crate)	8,000 – 9,000	12,500 – 14,500	56 – 61%

Due to increased construction and rebuilding of southern Sudan after decades of war, construction materials are in high demand. The price of nails, for example, has gone up by 195 percent. Prices for everyday consumables, such as soap, sugar or batteries have also increased.[23]

Table 2: Prices of basic foodstuffs in Arua before and after the increased trade with Southern Sudan, after the Comprehensive Peace Agreement[24]

First price: wholesale/ second price: retail

Prices in UGX	18/01/05	23/08/05	29/05/06	06/12/06	24/04/07	23/09/07	24/12/07	Increase in retail price
Maize Flour	500-600	550-750	600-800	550-700	750-900	850-1000	850-1000	66,6 %
Rice	800-1000	850-1000	750-900	1150-1300	1350-1500	1400-1600	1500-1700	70 %

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[23] Foodstuff prices are mapped weekly by the district agricultural offices.

[2424] Kristof Titeca fieldwork notes "District agricultural offices", Arua, 2008a.

Beef	2400-2500	2500-2700	2900-3100	3200-3700	3200-3700	3500-3700	3300-4000	60 %
Beans Large	450-500	450-500	550-650	550-650	750-850	950-1200	1100-1200	140 %
Matooke	250-350	320-380	360-450	400-500	550-700	650-750	750-900	160 %
Irish Potatoes	350-550	550-600	600-750	550-650	650-750	850-950	900-1100	100 %
Cassava	200-250	270-400	450-500	450-550	450-550	500-650	500-650	160 %

The increase in retail price, seen in the last column of the table, is rather spectacular, particularly for staple foods such as *matooke* and cassava and other foodstuffs such as large beans or Irish potatoes. The price of these goods increased between 100 and 160 percent in less than two years.

These tendencies are reflected in the statistics of Uganda's Bureau of Statistics. Consumer prices have increased strongly in Ugandan border towns: in the financial year 2007/2008, for Arua this was a total increase of 19.6 percent compared to 2005/2006. In Gulu, another border town, they had increased 18 percent, while the average national increase was less than half of that: 7.1 percent.[25]

Statistics on specific goods make even clearer how proximity to Sudan increases price. The table below shows that in Ugandan border towns, and particularly in Arua, prices in foodstuffs have risen by 26.3 percent, considerably more than the national average of 13.6 percent (or 12.3 percent recorded in Kampala). The trend is mirrored for beverages, tobacco, clothing, footwear and even transport. In Arua where transport to post-CPA Sudan is in high demand, costs have risen on average 33.6 percent; compared to 17.5 percent in Kampala (or 16.6 nationally).

% Price increase of goods in 2007/2008 compared to 2005/2006 (Base: 2005/2006 =100)	Arua	Gulu	Kampala	Uganda (national average)
Food	26.3	19.3	12.3	13.6
Beverages and tobacco	13	8.3	5.5	7.6

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25 "Formal Exports (All Countries) by SITC Grouping at Section Level and Dollar value(1999 - 2008)". Kampala: unpublished, 2009.

tobacco				
Transport and communication	33.6	18.6	17.5	16.6
Clothing and footwear	19.6	11.6	9.0	13

Source: Uganda Bureau of Statistics (2009), Consumer Price Index 1999-2008. Kampala: Uganda Bureau of Statistics.

3.1.2. Currency and trade in Sudan

The Ugandan shilling remains the more powerful currency for trading along the border area with Uganda, putting Sudanese at a distinct disadvantage.[26] Currency issues and raising prices –- some connected to local trade structures, others influenced by world market developments -- taint the relationship between the two countries on the very local level. Money exchange is dominated by Ugandans. The rate has become even more unfavourable for Sudanese since the Dinar was replaced by the Pound (SP) in 2007. xx

The rate should be based on "according what the currency buys", said one local. An acceptable rate based on the purchasing power and conversion rate of SP to dinar would be 1 SP to 1000 UGX. In June 2008, 1 SP was usually exchanged for UGX 700 UGX, with some traders offering only UGX 500. The unfavourable exchange rate relates to a larger pattern in efforts to redirect trade from Uganda towards Khartoum. Khartoum's traders suffered considerable losses in trading revenue when the roads to Uganda became safe to travel after the CPA. Introducing the pound might have been an attempt to strengthen the Khartoum-Juba trade link and weaken the link to Kampala. With the weaking pound on the Sudanse side and the prices skyrocketing on the Ugandan side, populations near the border on both sides were effectively worse off and left with less purchasing power.

The increase in food prices, the devaluation of the currency and the pull of traders towards Juba means that the border populations now pay crippling prices for basic goods. In Madi Opei, a bag of grain of 50kg cost UGX 18,000 in June 2008. The same amount was sold six months earlier for 10,000 UGS. The price of maize was supposed to have increased from UGX 5,000 in 2003 to UGX 30,000 since 2006 when Juba became accessible and customs on a bag was raised from UGX 2,000 to UGX 5,000.[27]

Along Sudan's border with the DRC, the UGX is also still in us, although the more dominant currency is now the Sudanese pound, with Congolese traders feeling similarly disadvantaged vis-à-vis the Sudanese currencies as the Sudanese feel about the UGX.[28]

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[26] This is also the case in certain Congolese border areas, such as the territory of Aru.

[27] Mareike Schomerus fieldwork notes "Border posts Tseretenya/ Magwi", Ikotos and Magwi Counties: June, 2008.

[28] Mareike Schomerus fieldwork notes "Market survey Makpandu refugee camp (with translator)", Yambio: 24 February, 2009.

3.2.1   Along the DRC border

With recent insecurities, the trading landscape for residents along the border has changed considerably. Prior to the recent attacks by the LRA, residents on both sides of the border experienced a brief period of time in which it was noticeable that the CPA was changing things. One Congolese man in Yambio said that

> Availability of goods is better now since Sudan got peace. Some of us are getting better off from Sudan. We can get bicycles and motorbikes even. Since peace in Sudan we can get bikes, motorbikes, clothes, all goods, salt, soap. [29]

In stark contrast to the experience of the Acholi on both sides of the Sudan-Uganda border—who are worried about border encroachment and too much movement across the border—the Congolese and Western Equatorian perspective on the border was always clear. "Before the LRA, there was never a problem about the border," said one man in Yambio, pointing out that it was Azande living on both sides of the border and hence there was not even a language problem.[30]

Customs and immigration charges were more predictable than they were reportedly along the Sudan-Uganda border. For Congolese traders, even small-scale trading was worthwhile because border charges were comparatively small:

> We do not pay taxes because the border market is in DRC. When we go to Yambi, we will be taxed. From DRC to Sudan, we pay immigration 10 SP and we pay 5 SP for security paid to immigration. For Sudanese going into DRC, it is the same price. There is no extra tax on goods, but DRC sometimes asks Sudanese to pay taxes on goods, depending on the goods. [31]

However, recent currency developments do pose problems for some Congolese who felt that pre-CPA, they were getting a better deal:

> We used to always come up to Nabiapei to trade rice, oil and palm oil. At first, when the SPLA did not have money, we were doing barter trade, the Congolese brought food items and the Sudanese would give clothes, hoes, pangas and drums. We at first started paying in Guinea, then Ugandan shilling and now it is Sudanese pound because the Sudanese do not want Francs. That is why we bring these things, we sell for Sudanese pounds and then we use the money to buy things on the market. When Sudan started using the dinar, we used UGX and now we are using pounds. There is no point of going back with that money.[32]

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[29] Focus group discussion with Congolese refugees. Facilitated by Mareike Schomerus (with translator). Makpandu: 24 February, 2009.

[30] Focus group discussion with Congolese refugees. Facilitated by Mareike Schomerus (with translator). Makpandu: 24 February, 2009.

[31] Focus group discussion with Congolese refugees. Facilitated by Mareike Schomerus (with translator). Makpandu: 24 February, 2009.

[32] Focus group discussion with Congolese refugees. Facilitated by Mareike Schomerus (with translator). Makpandu: 24 February, 2009.

In general, the Congolese perspective on currency exchange is that they were better off dealing in Ugandan shillings: "Shillings were better because we could buy things in Aliwara where shilling works," said one man. "There are no money changers anywhere except in Aliwara after GoSS stopped the use of shilling."[33]

3.1.3. Effect of insecurities

Along the Sudan-Uganda border, residents have always acutely felt the impact of insecurity reflected in the price of goods. When attacks were reported, trade usually shut down and looting increased.

Currently, during the increased insecurity along the DRC-Sudan border, the influence on trade can be directly seen in the goods traded. With insecurity reported and relief patterns changing, what is being traded changes. During particularly insecure times in Eastern Equatoria, residents witnessed more illegal logging by the UPDF. Larger items, such as motorbikes, are now harder to find in the markets around Western Equatoria's capital Yambio, while relief food becomes a trade stimulator. Food items distributed by UNHCR to Congolese refugees—such as sorghum or lentils—almost instantly enter the markets, with 50kg of UNHCR packaged sorghum selling for SP 15. The refugees use the relief food to maintain their space in the local market which with their own arrival makes it harder to be a trading place. When asked how the market in Makpandu had developed since the refugee camp for people fleeing from LRA attacks was established, one Congolese woman selling her UNHCR package in the market said: "When we came, prices were low, now they are higher prices because the local community takes advantage of us being refugees."[34] In the market adjacent to the refugee camp, she could trade 100kg of sorghum (equivalent to SP30) for a pair of trousers whereas in Yambio market, trousers usually sell for SP 20. And refugee camp inflation was continuing: "Since we came to this place, prices increase every day," said another trader. "Once the price increases by a pound it stays there for a few days and then increases again."[35]

3.2. Public services

3.2.1. Increased population pressure

The shifting patterns of peace and insecurity have caused increased population pressure on the town. According to the 2002 population census, Arua was expected to have 65,400 inhabitants in 2008. (Arua District Local Government 2007) Due to the peace agreement, there is however a day population of 150,000 people in the town. On the one hand, Arua has attracted traders from all over Uganda, Congo, and other areas, who use the town as a major trading point towards Sudan. Many Sudanese have settled in Arua or come to town for commercial and other reasons: to purchase various items or to send their children to school here, stretching the already thin education system even further. Many Sudanese also settled themselves in the town which has a profound effect on the

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[33] Focus group discussion with Congolese refugees. Facilitated by Mareike Schomerus (with translator). Makpandu: 24 February, 2009.

[34] Mareike Schomerus fieldwork notes "Market survey Makpandu refugee camp (with translator)", Yambio: 24 February, 2009.

[35] Mareike Schomerus fieldwork notes "Market survey Makpandu refugee camp (with translator)", Yambio: 24 February, 2009.

town. Public services such as water, garbage collection and medical services are being strongly overwhelmed.

The national government budgets money for service provision according to the results and estimates of the 2002 national census, which is less than one third (45,000) of the current daytime population of around 150,000 people. These estimates did not take into account the increased population pressure after the peace agreement in Sudan. When the district had a meningitis outbreak in 2007, the district personnel had calculated vaccinations for a total of 180,000 persons. In the end, about 270,000 people turned up for vaccinations, some of which had crossed from the DRC or Sudan when they heard of the availability of the vaccination programmes.[36]

The heavy day and cross-border traffic stretches the capacity of the roads who are permanently in need of repair. Accidents are a common occurrence. With only two small municipal lorries assigned for waste collection, much of the garbage stays in town; where it remains or is burned by the residents. Petty crime is on the rise, although no reliable figures are available.

Similar developments can be seen in Juba which has in a short period of time become the centre of activity in Southern Sudan. In 2008, it was estimated that Juba's population had doubled from 200,000 in 2006 to about 400 – 500,0000.[37] Drawing Sudanese and foreigners into the city, thousands are coming here to find work in the ever-growing aid industry sector. As a result, the most visibly infrastructure improvements are those needed by the aid agencies and the benefits for the local Sudanese population are minimal. (Voice of America 2008) Goods, including all produce, are being transported into Juba from Uganda and even villages in close proximity only benefit from increased trade with Juba if they set up stalls for petty trade along the road.[38]

3.2.2. Rents and land

With more trade opportunities, more businessmen set up premises in Arua, either to trade across the border or within Arua. In 2005, Arua hosted only two supermarkets. In January 2008, the number had grown to nine, six of which there were under Indian ownership, one Chinese-owned and two owned by Rwandans. Most of the Indian traders came directly from India to set up a business in Arua.[39] Apart from Indians, Chinese, Somalis and Rwandese, also many southern Ugandans (particularly Baganda) settled in Arua to take advantage of trade opportunities.

This situation impacted both residential and commercial rents. Whereas shops in the town centre were rented for UGX 150,000 before the CPA, they now fetch UGX from UGX 400,000 to UGX 800,000. Rents are particularly pushed up by small groups of Indian traders who tend to rent business premises in groups of four or more, as opposed to the Ugandans who tend to run their businesses individually. The rising prices have

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[36] Kristof Titeca fieldwork notes "Interviews district planning department", Arua: 25 February, 2008.

[37] Interview with Returnee Monitoring Manager IRC. Conducted by Mareike Schomerus. Juba: 29 January, 2008.

[38] For a more detailed discussion, see Mareike Schomerus, *Violent Legacies: Insecurity in Sudan's Central and Eastern Equatoria (Working Paper 13). Human Security Baseline Assessment* (Geneva: The Small Arms Survey, 2008b).

[39] Almost all of them from the state of Gujarat.

pushed the small traders out of town. Many of these small traders owning kiosks and retail shops have left the town and have settled themselves in the periphery of the town or in market centres outside of the town. Supermarkets have taken over their market share.[40]

Residential housing is scarce due to the high number of settled Sudanese.[41] This led to a doubling of the prices for rental houses, pushing medium- and low-income earners out of the town centre to the suburbs of the town. But also there, prices have increased. Whereas before the peace agreement, rental prices were between UGX 5,000 and 10,000 UGX for a small building, these prices have now doubled.[42]

4. Ugandan traders in Sudan

With high profit margins to be made in the Uganda-Sudan border region, Ugandans see the CPA as the document that turned southern Sudan into a golden opportunity. Members of the unemployed and low-skilled population of northern Uganda focused on generating an income from cross-border trade with southern Sudan by transporting goods across the border, working for other traders or indeed crossing the border themselves to look for employment in the ballooning urban centres of southern Sudan. Yet reality soon hit home: Because Sudanese are wary of what they see as reaping the benefits of the Sudanese peace by Ugandans, Ugandan traders face harsh conditions once they leave their home country.

3.2.2 Security

Because trade in southern Sudan is dominated by Ugandans, tensions between Ugandans and Sudanese run high. Sudanese civilians feel that their own peace dividend is paid largely to Ugandans who thanks to access to supply markets in Uganda manage to profitably trade with Sudan. Ugandans claim that they are being particularly targeted by the Sudanese. there have been many reports about how Ugandan traders are being intimated, harassed and even raped.[43] Sudanese are particularly angered by the fact that the Ugandans are also active in the petty trade (tea selling, chapatti selling, and so on), as

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[40] Fieldwork data Kristof Titeca Arua: 2008-2009.

[41] This is not a new phenomenon: even during the war Sudanese—and particularly SPLA officers—had houses on the Ugandan side of the border. This increased after the CPA as the houses in Arua act as 'coordinating places' for the activities of the Sudanese traders and because wealthier Sudanese send their children to Ugandan schools.

[42] Fieldwork data Kristof Titeca. Arua : 2008-2009.

[43]Jehanne Henry and Mareike Schomerus. Human Rights Watch. Human Rights Watch. ""There is no protection": Insecurity and Human Rights in Southern Sudan". New York: February 2009. Mpagi, P. 'South Sudan is not a good business partner', in New Vision September 7th 2007; Bwogi, C. 'Over 20 Ugandans killed in Sudan', in New Vision, September 12th 2007; Musoke, C. and J. Odyek 'Govt urged on report on Ugandans killed in Sudan' in New Vision 20th September 2007; New Vision, 'Ugandan traders in Juba attacked' in New Vision February 19th 2008. New Vision, 'SPLA chief speaks out on Ugandans in Sudan', in New Vision Monday 29th October 2007; Musoke, C. and J. Namutebi 'Uganda: Government to Probe Juba Harassment' New Vision 26 September 2007. New Vision, 'Ugandan traders raped in Sudan', New Vision 18 September 2007. Vuni, I. 'Ugandan envoy hails South Sudan efforts to improve Juba security', in New Vision 10 December 2007. New Vision, 'Ugandans will benefit from investing in Sudan', New Vision 25 September 2007. Ojwee, D. 'Uganda: UPDF to Deploy at Border', New Vision 2 August 2008.

they feel that at least these minor activities should be left to them. As a result of this, particularly Ugandan petty traders are being targeted.

Many traders crossing the border have horrendous stories of mistreatment by the Sudanese security personnel.[44] According to the chairman of the Ugandan traders in Juba, in the first 8 months of 2007, at least 20 Ugandans have died in Southern Sudan through harassment by Sudanese security personnel.[45] The problem has also been acknowledged by the Southern Sudan Human Rights Commission (SSHRC) who keep track of cases of killings of Ugandan traders in Juba's Customs and Konyo Konyo markets. A string of rapes of Ugandan women who trade and sleep in the markets has also been reported and is being monitored by the SSHRC. "The questions that needs to be answered is," said Human Rights Commissioner Joy Kwaje, "is it systematic? Organized? Criminal?"[46]

Other traders had property illegally confiscated – one man lost a motorbike after soldiers accused him of stealing it. He was severely beaten with a stone and whipped across his back while another deep wound had been inflicted on his head. During beating, the attackers kept shouting "Uganda, Uganda." After three days in prison, he was released after paying 50 Sudanese Pounds ($25) to a police officer who did not issue a receipt or official release papers. He was later told that without official release papers, he would not be able to claim back the motorbike, which is now being used by the police."[47]

Another Ugandan taxi driver was kept in custody by soldiers in uniform who accused him of being complicit in a theft.

> They took me down and removed my shoes, my shirt, my belt. They said whatever you have, you give us, money and documents…They started beating me. They said 'don't you know, we are all soldiers here.' It was 8 men beating me. They put pistols in my mouth and in my ears and somewhere else. They then told me to call my parents and tell my parents that my life is over. After I called my mum, they switched off my phone. They told me they will kill me…They told me they are soldiers, they can do anything."[48]

Military control of all aspects of life, including the trade is mirrored in Ugandan trader's experience in trying to get the authorities to help them. Ugandan traders feel that reporting their cases could endanger their position even more because Sudanese security agencies as seen as complicit.[49] "When you go to the military police, you always fail to get

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[44] The situation is considered so bad that it led to the visit of a Ugandan government delegation to Juba. Musoke, C. and J. Namutebi 'Uganda: Government to Probe Juba Harassment' New Vision 26 September 2007. Further meetings were held between Sudanese authorities and (individual) Ugandan districts authorities. For example, in 2008 Sudanese authorities met with authorities of Arua district. Meetings have also been held in Yei.

[45] New Vision, 'Ugandan traders raped in Sudan', New Vision 18 September 2007

[46] Interview with Joy Kwaje, Government of Southern Sudan Human Rights Commissioner Conducted by Mareike Schomerus. Juba: March 18, 2008.

[47] Interview with Ugandan trader (name and details withheld). Conducted by Mareike Schomerus (with translator). Juba: March 27, 2008.

[48] Interview with Ugandan taxi driver (name and details withheld). Conducted by Mareike Schomerus (with translator). Juba: March 27, 2008.

[49] As a Ugandan trader argues: "We cannot report; only the very big cases! Because: when you report, you cannot move out at night; you can be killed, robbed or injured! We fear this lot!"

assistance," said the chairman of the association of Ugandan traders. "At times, you find nowhere to get help."[50]

Help seems to only come at a price. Trading across the Sudanese border means having to invest a considerable amount of money in bribing the Sudanese soldiers, particularly on border points or on roadblocks from the border to the major trading points. One southern Sudanese government official argued that within the SPLA border points are seen as particularly interesting points to be stationed, as much profit can be made.[51] Individual traders can be charged between 5,000 and 20,000 UGX;[52] groups can end up paying up to 300,000 UGX.[53] [54] All traders prefer to pay these high bribes, as SPLA soldiers are feared for their rough behaviour towards the smugglers.[55] During a discussion with Ugandan cross-border traders, they concluded that "Southern Sudan is a new country, but the law is in the hands of the soldiers! They do whatever they like"[56]

This situation not only has led to increased hostility between Ugandan and Sudanese nationals in Sudan, but also in Uganda. For example, when a Ugandan driver was killed in Sudan by Sudanese, this led to major clashes in the driver's Ugandan home district of Koboko: Sudanese were being violently targeted and had to seek for police protection. In these clashes, several Sudanese were killed.[57] [58] Similarly, the difficult circumstances of the Ugandan traders in Sudan also create hostile relations with the Sudanese in other border towns such as Arua.[59] Lastly, Ugandans in border areas complain about incursions by individual armed SPLA elements. This is perceived as a real threat, as they often loot things on their way. [60]

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[50] Interview with Ugandan Traders Association official (name and details withheld). Conducted by Mareike Schomerus. Juba: March 27, 2008.

[51] Interview with Ugandan trader (name and details withheld). Conducted by Mareike Schomerus (with translator). Juba: March 27, 2008.

[52] Between € 1,70 and €6,80 at the time of writing.

[53] About € 102 at the time of writing.

[54] Kristof Titeca fieldwork notes "Interviews with Ugandan trader (names and details withheld)", Arua: 12 February, 2008b. Kristof Titeca fieldwork notes "Interviews with Ugandan trader (names and details withheld)", Arua: 12 February, 2008b;Interview with Ugandan border official (name and details withheld) Conducted by Kristof Titeca. CONDCTED WHERE???: 10 October, 2008;Interview with Ugandan trader (name and details withheld). Conducted by Mareike Schomerus (with translator). Juba: March 27, 2008.

[55] As a Ugandan trader summarizes "In Juba, you have to bribe. Even a kid there has a gun. For no reason, they can confiscate your goods. They take the law in their hands. You have to pay to avoid this!" Interview with Ugandan trader (details withheld). Conducted by Kristof Titeca. CONDUCTED WHERE????: 22 January, 2008. Moreover, there unlimited quantities of light weapons in Southern Sudan, which makes the trade more insecure; and these weapons make it easier to threaten Ugandans.

[56] Focus group discussion with Ugandan traders (names withheld). Facilitated by Kristof Titeca. CONDUCTED WHERE????: 30 September, 2008.

[57] Reports are not clear whether two or four people were killed.

[58] Focus group discussion with Koboko civil society representatives and traders, (names and details withheld) at the cross-border conference on security, IKV-Pax Christi. Facilitated by Kristof Titeca. 2 October, 2008.

[59] Fieldwork observations Arua, 2006-2009.

[60] Focus group discussion with West Nile civil society representatives (names and details withheld). at the cross-border conference on security, IKV-Pax Christi. Facilitated by Kristof Titeca. Arua: 1 October, 2008.

3.2.3 Profit margins

While trading with Sudan used to be a surely lucrative business, traders now face various challenges in addition to those to their physical security.[61] Profit margins are now declining because the number of traders is ever increasing. In the beginning, relatively few people were willing to face Sudan's shaky security situation in return for profit and even simple goods achieved high mark-ups. In 2006, papyrus mats purchased in Arua for UGX 1,000 could be sold in Juba for UGX 15,000. (BBC News 2006) With competition among traders becoming stronger as more people dare to make the journey too Juba, profit margins are shrinking.[62]

Peter, a motorcycle smuggler, explained that, directly after the CPA, him and his group of fellow smugglers travelled to Juba three times each month. Per motorcycle, they pocketed a profit of between UGX 200,000 and UGX 300,000.[63] Now they only go once a month and make a profit of between 70,000 and 80,000 UGX per motorcycle.[64] The squeeze on profits has created a culture of snitching: many Ugandan traders complain about the jealousy of their colleagues, and how this provokes them to informing the Ugandan Revenue Authority (URA) about each others' smuggling activities in order to obtain a reward from the URA.[65] [66] As a result, some established traders are starting to leave the business. They have made big profits in the first years of business and are now giving up on the trade. In sum, the cost-benefit analysis is not that positive any more – although it has to be emphasized that there remain major profits to be found in the trade with Southern Sudan.

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[61] For example, living costs in southern Sudan and particularly Juba are very high for the traders, who try to save money by skipping meals (many traders claim only eating breakfast in Juba), bringing canned food from Uganda or sleeping in a vehicle in the bus park. Even renting out vehicles as a sleeping place is a business in Juba. Due to the strongly increased business activity in Juba (and southern Sudan in general), it can take some time before a Ugandan trader is able to sell his goods. For example, a motorcycle or car dealer can spend several days before he is able to sell his good. Waiting for 'business to arrive' is a major drain on their profits. Moreover, many traders complain about the low standard of living, and poor sanitation and hygiene – as they try to cut down on living costs as much as possible. Some traders are therefore not staying in Juba: they simply deliver the goods and return to Uganda; and are paid their money when going next time.

There are many other risks involved in the trade as well, of which the road infrastructure is an important one. The roads from Uganda to Sudan are in a bad state, particularly during the rainy season. This is particularly risky for the trade in foodstuffs: if transport unexpectedly takes too long, foodstuffs can get rotten on the way: one such a trip can have disastrous consequences for the capital of the traders involved.

[62] Traders who have been involved from the beginning—the 'historicals' or 'pioneers' as they are called locally—however have a marketable advantage over the newcomers: as they have been trading for a reasonable amount of time, they have managed to establish a reputation and fixed clientele base. For example, Andrew, who is a car smuggler, explained how he is a 'historical' who has managed to establish a good reputation of selling reconditioned cars which have no mechanical problems. Whereas other traders can spoil the engine of the cars, he is known to sell cars in good conditions. [Interview car trader Andrew (details withheld). Conducted by Kristof Titeca. Arua: 25 January 2008.

[63] Roughly between Euro €68 and € 102 at the time of writing.

[64] Roughly between Euro €24 and € 27 at the time of writing.

[65] The Finance Act 187(7) gives the informer 10% of the recovered unpaid tax.

[66] Fieldwork observations Arua, 2006-2009.

3.2.4 Coping strategies

As established before, there is a perception by the Ugandan traders that Southern Sudan is 'ruled by soldiers', who make the trader's activities rather difficult, by asking for bribes, harassing traders, and so on. For the Ugandans, there is however a way of guaranteeing a safe passage through Sudan without facing harsh treatment by the Sudanese security agencies, and this involves making use of the 'rules of the game' which have been created by this situation. Protection against harassment therefore involves creating connections with these very same soldiers, who get a percentage of the profit. There are several ways in which SPLA officers shelter traders. Escorting a goods convoy through border posts and road blocks is the most obvious way. Another common method is that an SPLA officer informs SPLA soldiers and Government of Southern Sudan (GoSS) border officials whenever a delivery is imminent. This protects goods and traders from harassment and exempts the goods from paying revenue. A last method which is commonly used is the following: the SPLA officers sign documents (receipt with signature) indicating how these goods are their property. Lower-level soldiers will therefore not hinder these goods to enter Sudan.[67]

Within Arua town, the traders who have connections with SPLA officers are considered to be in a favourable position for cross-border trade. Andrew is one of the most prominent traders for drinks to southern Sudan who has made his cross-border friendships work for him:

> I have a Sudanese friend, a higher military *[SPLA, KT]* who helps my business in many ways. He introduced me to the people of the revenue and the soldiers: these are behaving rough, and he offers me some protection. This is just a friend which you get! When you trust one they introduce you to his friends. They call it 'protection': when you go, they take you to the safe places; they introduce you to the elders, to the government officials. They introduce you to the person who is in charge.[68]

As part of the deal the SPLA officer receives his share of the profit. This relationship in return involves a duty on Andrew's part to help family members of his SPLA contact who are resident or working in Uganda. He needs to return the favour by preventing overcharging of the Sudanese by Ugandan traders in Arua. In practice this means that the Ugandan trader acts as a go-between for the Sudanese in Uganda, buying goods for them so that they do not get overcharged on a 'Sudan mark-up'.[69]

Ugandans also started organizing themselves in associations, which is another method to better protect themselves against harassment in Southern Sudan. Some trading groups started having 'mixed' associations, in which part of the group is Ugandan, and part is Sudanese. This is for example the case for the car trading associations. They move in

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[67] It is therefore important that these SPLA officers have a certain hierarchical level.

[68] Interview with Drinks trader (last name withheld). Conducted by Kristof Titeca. CONDUCTED WHERE????: 28 January, 2008.

[69] One of Kristof Titeca's informants involved in the alcohol trade with southern Sudan has many 'friends' in the SPLA. Almost every other day, he would spend walking through Arua helping some 'friends of his Sudanese friends', looking for goods, taking them to the doctor, registering their children for school, and so on.

mixed convoys, with the Ugandans in charge of smooth passage on the Ugandan side of the border; and the Sudanese ensuring that all goes well on the Sudanese side.[70]

The most prominent Ugandan ethnic groups in the trade with Sudan are the Aringa and the Kakwa, for the simple reason that these groups speak Arabic, which is the language most commonly shared. This is particular useful for the transport of goods, which is mostly done by these Arabic-speaking groups. Particularly the Kakwa are in a good position. They live on all sides of the (Ugandan-Congolese-Sudanese) border and are therefore considered 'Sudanese' who do not have to pay immigration charges: as Ugandans have no ID's, there is a certain degree of 'guessing' involved of the border officials. It is therefore very hard to distinguish Ugandan or Congolese Kakwa from Sudanese Kakwa.

Another protection mechanism is again related to the 'rules of the game' mentioned above. In this kind of militarised situation, in which the major challenge is harassment by security agencies, linking up with Sudanese military officials is a way to protect oneself. A similar logic is felt for the connection with Ugandan army officials: several Ugandan traders were encountered who feel protected by the Ugandan army (UPDF) presence in Sudan (and particularly in Juba). This particularly concerns traders who have developed personal relations with some of the officers. For example, several Ugandan informants received help from the UPDF when they encounter difficulties in Juba. The story of Musa is a good example:

> I went to Juba with a washing machine which I wanted to sell. There was this Sudanese friend working for the UN mine action program who wanted to buy it, but he ran away with the washing machine! So I was stranded there: I had no money, nothing! So I went to the UPDF soldiers. Luckily I met my Lugbara friend there with whom I could speak my home language and to whom I could explain my problem. The UPDF followed up on the issue: they went to the UN agency to investigate the problem and through them I could recover the money! The UN agency had to give me one month of the man's salary, because the man had fled to Nairobi in the meanwhile.[71]

Other examples include the 'punishment' of Sudanese who have mistreated Ugandans.[72]

A last manner in which Ugandans counter the difficulties in the cross-border trade is through the creation of border markets. The creation of border markets is not a new strategy in countering the difficulties caused by cross-border trade: exactly the same thing happened in the West Nile region to counter the difficulties in the Ugandan-Congolese cross-border trade. In order to face the growing Congolese harassment and insecurity, Ugandans no longer went into Congo to trade, but rather stayed in border markets which were constructed at the Ugandan-Congolese border in West Nile. This process started in the late eighties, but was intensified after the outbreak of the Congolese war (Titeca

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[70] Again, the support of the Sudanese security agencies is crucial in this. Many of the Sudanese car traders are former soldiers who still have good contacts with SPLA officers.

[71] Interview with Ugandan trader (full name withheld). Conducted by Kristof Titeca. CONDUCTED WHERE???: 4 October, 2008.

[72] It is important to note that these are however individual cases and cannot be generalized. However, the presence of the UPDF in southern Sudan is much discussed. The army has theoretically overstayed its mandated that allowed its presence in the neighbouring country. In addition, it was never supposed to get involved in Sudanese internal affairs. Above cases are therefore individual cases of individual traders who managed to secure UPDF support in Juba, and cannot be generalized for the UPDF as a whole. These individual cases are nevertheless widely known among the Ugandan community in Juba, and offer some degree of (perception of) protection.

forthcoming. Exactly the same process is currently happening along the Ugandan-Sudanese border, although this is still in its initial phases: In October 2008, at least three of these markets were arising on the Ugandan side of the Ugandan-Sudanese border while there is a strong demand in other areas to construct these markets.[73] This is not only done to profit from the increasing cross-border trade flows, but the harassment of Ugandans in Sudan is seen as the major reason as to why these border markets came into being: in this way, they no longer have to enter Sudan and face all the hardships, but are able to stay in Uganda while still making major profits.

5.   Conclusion

The biggest problem for cross-border traders is the unpredictability of the trade. Many of the border regulations are unclear and opaque; and there is the continuous threat of harassment and confiscation. It has been mentioned a couple of times how particular actors offer their services to the traders to reduce this unpredictability, while at the same time profiting from this trade. Particularly SPLA officers play a crucial role in the facilitation of the cross-border trade with Sudan. Through associating themselves with Ugandan traders, the SPLA officers reduce the risk of harassment by individual agents and in this way reduce the uncertainties of the legal vacuum. In other words, the actors who are supposed to implement the legal framework make sure traders are able to act outside of the legal framework and guarantee varying degrees of protection in this legal vacuum. This protection is not only needed with regard to the negotiation with state actors (in which legal rules apply), but also with regard to the negotiation with other traders and the general population, in which other normative rules apply (i.e. a moral economy is at work). For example, local traders in Arua perceive it legitimate to charge higher prices to Sudanese traders who come to buy goods in Arua. There are however Ugandan traders who act as intermediaries in this case: they help Sudanese to buy goods and make sure they are treated correctly. In other words, also within the general moral economy intermediaries are needed which reduce the risks to which the Sudanese are exposed.

Closely related with this, another factor which reduces the risk is the personal relationship of the traders with the state agents. A beginning trader who does not know any Sudanese customs officials or traders who does not want to invest in these 'friendships' will have far more difficulties in their activities, as a 'friendship' with these state actors offers a certain degree of protection and better deals in the continuous negotiation process. For example, the renewal of a migration card normally costs 25 Sudanese Pounds, but only costs 10 SP if one 'knows' the migration official in charge. All the official fees and regulations are open to a similar negotiation. Similarly, these friendships avoid problems when under declaring goods.

 - ADD: role of Sudanese military, aspects of trade dominated by Ugandans

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[73] These markets are at Bibia border point (Olega market), Madi-Opei and Ngomoromo/Lukung.

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Peacekeeping in the Borderlands:
Confronting Networks of Conflict in the Great Lakes Region of Central Africa

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Introduction

An off-the-radar war of unprecedented proportions has been unfolding in the Great Lakes region of Central Africa for more than a decade. What has been described as "one of the most complex and perplexing events the post-Cold War world has ever seen", and often referred to as 'World War III' or 'Africa's World War', has resulted in the deaths of over five million Congolese, the displacement of tens of thousands, and continent-wide instability.[1] Indeed, it is hard to overstate the magnitude and scope of the violence: the militaries of nine African countries have been involved, along with numerous Congolese rebel movements, countless militias, and actors from farther afield in the form of multinational mining corporations, for example. While the fighting was officially declared over in 2003, peace has proved elusive in the core of the conflict, namely the Kivu provinces of eastern Democratic Republic of Congo (DRC).

Aside from the unprecedented humanitarian consequences of the conflict, the most striking feature of the violence has been its profoundly regional character. While the states of the Great Lakes region (the DRC, Rwanda, Burundi, and Uganda) have a long history of entwined violence systems, it was not until the early 1990s that their interconnections became so densely integrated as to warrant the label of a regional conflict. It is important to recognize that although certainly interdependent in their evolution, and eventually emerging into 'convergent catastrophes', these Central African countries still originally suffered quite independent crises. Furthermore, it is crucial to not fall into the trap of designating the Rwandan genocide as the beginning of all violence in the region. Nevertheless, several events coalesced in the early 1990s – perhaps most importantly being an unprecedented degree of state collapse within the DRC – to facilitate the emergence of a truly regional conflict. Since then, the area has experienced two 'official' wars, a 'transition' stage, and today's so-called 'peacebuilding' or 'post-conflict' period. Rwanda, Burundi, and Uganda have all been pivotal players in the violence, be it through their direct interventions, alliances with local proxies, or involvement in the war economy. There is no doubt, though, that the eastern DRC – specifically, the North and South Kivu provinces – has been both the geopolitical centre, as well as the violence epicentre, of this regionalized conflict.

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[1] Breytenbach, Willie et al. 1999. 'Conflicts in the Congo: from Kivu to Kabila', *African Security Review* (8) 5; Mason, Linda. 28 January 2009. 'A stronger UN role is needed in the Congo', *The Boston Globe*. <http://www.boston.com/bostonglobe/editorial_opinion/oped/articles/2009/01/28/a_stronger_un_role_is_needed_in_the_congo/>.

The dominant conflict management actor in the area, the United Nations' (UN) peacekeeping mission MONUC, has undeniably been faced with a task of enormous proportions in a country described as simply being "too big, too rich, and too weak".[2] MONUC's involvement in the DRC began in 1999, with Security Council Resolution 1279 and just ninety military observers. Over the past ten years it has steadily increased in number to its current troop level of approximately 17,000, making it not only the largest and most expensive peacekeeping force ever, but also the longest-running Sub-Saharan mission in UN history.[3] While of course it would be unfair to hold MONUC up to high standards in light of the vast complexity of the conflict, nevertheless, it continues to be unsuccessful in fulfilling its mandate and establishing even *negative* peace in the Kivus.

In light of the above, I seek to address the following question in this paper: 'How can we best understand and conceptualize the profound regionalization of conflict in the Great Lakes area of Central Africa?' **My hypothesis and argument are based on reviews of the relevant literature and news sources; to confirm these, I will be conducting fieldwork in the Great Lakes region in the fall and winter of 2009/10.**

I hypothesize that the dominant contemporary model of regional conflict, with its overwhelmingly state-centric orientation, is inadequate in providing a comprehensive understanding of the structure of this type of violence. Rather, we need to take the so-called peripheries of states – borderlands – as not only our starting point, but actually our central referent point when it comes to regional conflict analysis. Despite their distance from the 'core', borderlands are anything but passive or reactive areas, and in fact represent political units of their own. I argue that the regional conflict involving the DRC, Rwanda, Burundi, and Uganda is constituted through dynamics located in the borderland. These are unique political dynamics which emanate from (1) the presence of the border itself, and (2) the borderland's position of being on the margin of the state – and which operate in the form of potentially destabilizing social, economic, and military networks. Not only does this mode of violence rupture traditional conceptions of how regional war is 'supposed' to work, but it also shatters conventional response formulas, and thus has important implications for MONUC's intervention policies, and conflict

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[2] Adebajo, Adekeye. 2006. 'The United Nations', in Khadiagala, Gilbert M. (ed.) *Security Dynamics in Africa's Great Lakes Region*. Boulder: Lynne Rienner Publishers, Inc.

[3] Gambino, Anthony W. October 2008. 'Congo: Securing Peace, Sustaining Progress', *Council on Foreign Relations*. <http://www.cfr.org/content/publications/attachments/Congo_CSR40.pdf>.

management in general. Essentially, this paper puts forward the idea that borderlands are critical to understanding the extreme regionalization of conflict in the Great Lakes area of Central Africa.

In pursuing this, I first outline the dominant regional conflict theory, highlighting the constricting nature of its state-centric focus, before going on to consider the merits of adopting a borderland-oriented framework of regional conflict instead. I then apply this new structure to the violence in the Great Lakes area, bringing in examples from other regionalized conflicts as well. Finally, I conclude with a brief consideration of the implications of a borderland analysis for conflict management, considering how international interventions such as MONUC have engaged with borderlands, and the impact of such engagements on conflict itself.[4]

Regional Conflict Theory and Its Shortcomings

In 2001, UN Secretary-General Kofi Annan noted that, "no war leaves the neighbouring countries untouched ... What often begins as an internal dispute over power and resources can quickly engulf an entire region".[5] Indeed, in light of the apparent contagious nature of many post-Cold War conflicts, academics and practitioners in the 1990s and early 2000s began to explain the spread of wars such as those in West and Central Africa as still largely intrastate – yet with a tendency to produce one-off outpourings of arms, refugees, militants, and other conflict-promoting actors into bordering countries.[6] However, unsatisfied with this 'spill-over' explanation, a body of literature has evolved that is concerned with stressing the significant regional character of so many contemporary conflicts. Pointing to the lack of conformity to any traditional notion of civil or intrastate war, authors such as Barnett Rubin, Kaysie Studdard, Necla Tschirgi, and Ian Taylor prefer the term 'transnational' to describe these conflicts which so blatantly transcend state boundaries, and thrive off of cross-border ties and activities.[7] More

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[4] Please note: with regards to the Great Lakes area conflict, my research takes into account events and developments throughout the time period from the outbreak of what is known as the 'First Congo War' in 1996, to the arrest of Congolese Tutsi rebel leader General Laurent Nkunda in January 2009. In terms of conflict management, I use the term broadly to include, for example, responses to the conflict after the official ending of the Second Congo War. Finally, owing to the conflict's history having been extensively covered in numerous other works, this paper does not provide a background or synopsis of the war.

[5] Whitaker, Beth Elise. June 2003. 'Refugees and the Spread of Conflict: Contrasting Cases in Central Africa', *Journal of Asian and African Studies* (38) 2-3: 211-231.

[6] Murdoch, James C. & Todd Sandler. February 2002. 'Economic Growth, Civil Wars, and Spatial Spillovers', *The Journal of Conflict Resolution* (46) 1: 91-110.

[7] Rubin, Barnett R. et al. 22 October 2001. 'Draft Discussion Paper I: Conceptual Overview of the Origin, Structure, and Dynamics of Regional Conflict', *Center on International Cooperation*.

specifically, the spread of conflict from Liberia to Sierra Leone to Cote d'Ivoire, for example, or the violent instability in the Balkans and Central Asia, has been termed by Rubin as 'Regional Conflict Formations' (RCF).[8] Perpetuated and sustained by phenomena such as cross-border population movements and natural resource trafficking, an RCF is defined as "sets of violent conflicts ... that form mutually reinforcing linkages with each other throughout a broader region, making for more protracted and obdurate conflicts".[9] The means through which various violent linkages eventually become a regional conflict complex, so goes the theory, is via overlapping social, economic, and military transnational networks.[10] In fact, 'network war' has been interchangeably used with RCF to describe such conflicts. It speaks to the multitude of parties enveloped in webs of violent interactions, and highlights the wide array of issues encompassed in the conflict arena. Networks provide a more useful conceptual tool for studying regionalized violence, argue RCF and network war theorists, than any analysis focused on isolated actors and issues.[11]

While the RCF and network war paradigm definitely has its attributes – notably having helped to shift conflict analysis away from a focus on contagious intrastate wars, and towards a transnational, network-oriented explanation of regional instability – there are nonetheless important deficiencies. Essentially, it is unable to adequately account for the profound regional character of conflicts such as those in West or Central Africa. More specifically, it fails to unpack and scrutinize the developments and political processes which lead to such complex interconnectivity. As Reinoud Leenders explains, "the RCF model appears obsessed with identifying static manifestations of cross-border linkages without offering an exhaustive theory of the dynamics and processes through which they are formed, and through which they cause, fuel or prolong conflicts".[12]

<http://www.cic.nyu.edu/peacebuilding/oldpdfs/discussionpaper1.3.pdf>; Studdard, Kaysie. March 2004. 'War Economies in a Regional Context: Overcoming the Challenges of Transformation', *International Peace Academy*. <http://www.ipacademy.org/pdfs/WARECONOMIES.pdf>; Tschirgi, Necla. 2002. 'Making the Case for a Regional Approach to Peacebuilding', *Journal of Peacebuilding and Development* (1) 1: 25-38; Taylor, Ian. March 2003. 'Conflict in Central Africa: Clandestine Networks & Regional/Global Configurations', *Review of African Political Economy* (30) 95: 45-55.

[8] Rubin, 2001.

[9] Rubin, 2001.

[10] Carayannis, Tatiana. August 2003. 'The complex wars of the Congo: towards a new analytic approach', *Journal of Asian and African Studies* (38) 2-3: 232-255.

[11] Taylor, 2003; Carayannis, 2003.

[12] Leenders, Reinoud. July 2007. ''Regional Conflict Formations': is the Middle East next?', *Third World Quarterly* (28) 5: 959-982.

The issue at the heart of this problem is the theory's employment of a state-centric framework, which manifests itself in a variety of ways. For example, most RCF and network war analyses are what could be called top heavy: emphasis is placed upon the agendas of *national* actors, and macro-parameters in general. Hence, attention tends to largely be fixed on the activities of intervening *states*, their co-optation of local players, and *their* position in directing conflict-promoting activities such as war economies. While these factors undoubtedly influence the regional violence in important ways, any perspective which dismisses the influential role played by translocal sources of agency and activity, for instance, ultimately distorts and simplifies.[13] Indeed, the operation of violent regional linkages has been considered in statist terms which gloss-over, obscure, and even hide, various other important – albeit more unusual – dynamics. There is an evident poor fit between the neat dividing lines of the traditional levels of analysis utilized by RCF theory, versus the fluidity and complexity of regional conflict networks, with their meshing of state/non-state, domestic/international, informal/formal, and illicit/licit boundaries.

This is actually part of a deeper issue: the inability of International Relations' (IR) tools to capture the intricate, multidimensional, and multidirectional nature of regional processes and interactions, due to IRs' mental architecture being transfixed on the territorial state.[14] It stems from what has been coined by Liisa Malkki as 'the national order of things', namely, "the degree to which the mental geography of international relations begins and ends with notions of states (and unitary national territories) as the natural categories between which, through which, and upon which all actions should be conceived."[15] As Roland Bleiker notes in a similar vein, "a long tradition of conceptualizing global politics in state-centric ways has entrenched spatial and mental boundaries between domestic and international spheres such that various forms of agency have become virtually unrecognized, or at least

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[13] This paper uses 'translocal' in the same manner as Heathershaw and Lambach, namely: "local spaces can take subnational or transnational forms. Such 'translocal' spaces can take the form of [for example] cross-border networks of seasonal labor migrants or long-term relations between diaspora and the homeland … ". Thus, translocal helps to draw attention to the transnational nature of 'local' forces in borderlands, and their lack of operational confinement to state boundaries; Heathershaw, John & Daniel Lambach. November 2008. 'Introduction: Post-Conflict Spaces and Approaches to Statebuilding', *Journal of Intervention and Statebuilding* (2) 3: 269-289.

[14] Soguk, Nevzat. January 2008. 'Transversal communication, diaspora, and the Euro-Kurds', *Review of International Studies* (34) S1: 173-192; Jarvis, Anthony P. & Albert J. Paolini. 1995. 'Locating the State', in Camilleri, Joseph A. et al (eds.) *The State in Transition: Reimagining Political Space.* Boulder: Lynne Rienner Publishers; Carla, Andrea. July 2005. 'Community Security: Letters from Bosnia: A theoretical analysis and its application to the case of Bosnia-Herzegovina', *Peace, Conflict and Development* (7) 7: 217-250.

[15] Jackson, Stephen. 2006. 'Borderlands and the Transformation of War Economies: Lessons from the DR Congo', *Conflict, Security & Development* (6) 3: 425-447.

untheorised."[16] IR's habitual adherence to Cartesian-defined space has restricted it to outdated modes of conflict analysis, and precluded it from coming to grips with the political processes taking place in regional conflict arenas. As I will attempt to demonstrate throughout the course of this paper, a state-centric framework ultimately fails to appreciate the factors giving rise to, and sustaining, the *pervasively regional* character of violence in places such as Central Africa.

The Borderland Perspective

The RCF and network war paradigm's inability to adequately register the factors behind this type of violence might be remedied, it thus follows, if its main weakness – a state-centric conceptualization of regional conflict activity – is addressed. I suggest that a borderland framework of conflict will bring to light some important issues in this regard. With few exceptions, conflict theorists (in addition to policy-makers, as will be briefly discussed later) have been uninterested in borderlands, viewing them as mere passive and reactive hinterlands, or marginal, outlying areas with no state presence and thus of little strategic importance.[17] Following from this, borders themselves have tended to be thought of in strictly statist terms, as barriers of penetration, lines of separation, and the legal limits of a state's sovereignty.[18] However, this paper contends that denying borderlands the recognition of being important political zones or entities in their own right, also denies regional conflict analyses the ability to move beyond superficial paradigms of regionalized violence. Accordingly, I agree with Stephen Jackson's perspective that, "Copernican shifts in ... frames of reference and institutional action are urgently needed: from the national to the regional, and from simplistic oppositions of 'centre' versus 'periphery' to more subtle notions of a 'central periphery'".[19]

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[16] Bleiker, Roland. 2000. *Popular Dissent, Human Agency, and Global Politics.* Cambridge: Cambridge University Press.

[17] Baud, Michiel & Willem Van Schendel. Fall 1997. 'Towards a Comparative History of Borderlands', *Journal of World History* (8) 2: 211-242; Jackson, Stephen. 2009. 'Potential Difference: Internal Borderlands in Africa', in Pugh, Michael et al (eds.) *Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*. Houndmills: Palgrave MacMillan.

[18] Van Schendel, Willem. 2005. 'Spaces of Engagement: How Borderlands, Illicit Flows, and Territorial States Interlock', in Van Schendel, Willem & Itty Abraham (eds.) *Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization.* Bloomington: Indiana University Press; Baud & Van Schendel, 1997; Donnan, Hastings & Dieter Haller. 2000. 'Liminal No More: the Relevance of Borderland Studies', *Ethnologia Europaea: The Journal of European Ethnology* (30) 2: 7-22.

[19] Jackson, 2006.

Indeed, overcoming the embedded statism of regional conflict analysis and adopting the so-called periphery as one's point of departure, requires, as Jonathan Goodhand points out, 'reading against the grain'.[20] Before delving into the relationship between borderlands and regional conflict, however, it is first necessary to define what exactly a borderland is. Constantly changing and being renegotiated, especially during times of conflict, a borderland is at the most basic level a non-state (or even anti-state) geographic area; in fact, just like a state, it can be outlined on a map.[21] Central to the borderland, is the border itself. As Goodhand notes, "borders separate people and the separating qualities of these borders influence interactions between them".[22] Also critical to the borderland, is its position of being on the margin of the state. Oscar J. Martinez describes how it is accordingly subject to what he terms 'frontier forces': these can include unusually strong pressures from neighbouring countries, for example, influences from further abroad, or perhaps most importantly, the lack of a state presence.[23] An important element of frontier forces is the resulting myriad actors and activities operating co-terminously in the same area. As Ronald Kassimir and Robert Latham point out, it is nearly impossible to identify whether these forces are squarely local, national, or international, and thus traditional levels of analysis are unhelpful.[24] Instead, these political spaces with such a strong hybrid quality to them should be thought of as 'transboundary formations', where dynamic interactions and intersections of all kinds exist.[25]

In order to take account of the unique political dynamics which both the presence of a border and the position of being on a state's margin engenders, it is important to conceptualize a borderland as extending across *both* sides of a border. Of course, exactly how far the borderland reaches into each state differs, largely depending on the strength of the states in question, and their ability to project

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[20] Van Schendel, 2005; Goodhand, Jonathan. April 2005. 'Frontiers and Wars: the Opium Economy in Afghanistan', *Journal of Agrarian Change* (5) 2: 191-216.

[21] Baud & Van Schendel, 1997; Goodhand, 2005.

[22] Goodhand, Jonathan. 2009. 'War, Peace and the Places in Between: Why Borderlands are Central', in Pugh, Michael et al (eds.) *Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*. Houndmills: Palgrave MacMillan.

[23] Martinez, Oscar J. 1994. *Border People: Life and Society in the U.S.-Mexico Borderlands.* Tucson: The University of Arizona Press.

[24] Kassimir, Ronald & Robert Latham. 2001. 'Toward a new research agenda', in Callaghy, Thomas M. et al (eds.) *Intervention and Transnationalism in Africa*. Cambridge: Cambridge University Press.

[25] Heathershaw & Lambach; Latham, Robert et al. 2001. 'Introduction: Transboundary Formations, Intervention, Order, and Authority', in Callaghy, Thomas M. et al (eds.) *Intervention and Transnationalism in Africa*. Cambridge: Cambridge University Press.

power and control.[26] Michiel Baud and Willem Van Schendel have produced a classification system to account for the variations. They start with the 'borderland heartland', the area straddling the border and completely dominated by its existence; next is the 'intermediate borderland', where the border's effects are felt, but only in the range of moderate to weak; and finally there is the 'outer borderland', which experiences the border's influence just occasionally, usually during periods of intense political activity such as war.[27] Borderlands also differ in terms of the border's hardness or impermeability, which affects not only borderland practices, but in turn can also influence the dynamics of the entire region.

Borderlands are thus clearly more than simply a geographic location where states come into contact with each other. As will be expanded upon below, by way of their unique politics, they (as opposed to states) form the arena through which regional conflicts such as that found in the Great Lakes area of Central Africa are constituted. More specifically, they generate potentially destabilizing social, economic, and military networks which are pivotal to the operation of regional violence. Indeed, the Kivu provinces of eastern DRC very much represent a borderland heartland, where (1) their position of being on the DRC/Rwanda, Burundi, and Uganda border, and (2) their position of being on the margin of the DRC state, stimulates pivotal conflict-oriented political practices. In order to delineate these processes, the following section will look at the social, economic, and military networks of the Great Lakes region conflict, while also incorporating examples from other wars – and of course appreciating that such categories of networks overlap and influence each other to a great degree.

Congolese Borderlanders and their Networks

Social Networks

As was suggested above, the state-centric RCF and network war theory of regional conflict has trouble capturing the situation 'on the ground'. Employing the lens of a borderland perspective, on the other hand, helps to shed light on the political factors giving rise to, and sustaining, intense regional conflicts. Perhaps this is most apparent when one considers the social dynamics emanating from the Kivu

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[26] Nugent, Paul. 2008. 'Border anomalies: the role of local actors in shaping spaces along the Gambia-Senegal and Ghana-Togo borders', in Bellagamaba, Aiice & Georg Klute (eds.) *Beside the State: Emergent Powers in Contemporary Africa*. Cologne: Rudiger Koppe Verlag.

[27] Baud and Van Schendel, 1997.

borderland, and the resultant social networks operating within the Great Lakes conflict. Firstly, a border represents not only partition, but also opportunity for different social forces to come into contact and interact with each other.[28] As Hastings Donnan and Dieter Haller note, "borders have an ambivalent character: they represent dividing lines as well as thresholds of passage, they have a 'hinge function', simultaneously bounding and excluding".[29] Borderlands are thus areas where social identities can converge, coexist, or conflict.[30] There are numerous documented cases of borderland populations coming together to adopt a creole or syncretic culture, unique to, or even in opposition to, their respective national ones. Writing about the American-Mexico borderland in an article entitled 'A World Apart', a news magazine described this situation well: "in truth [the border] is a world apart – a third very unsovereign nation, not wholly American and not quite Mexican either, with its own customs, mores, values, and even its own language, Spanglish."[31]

Unfortunately in many places, however, the liminal nature of the population results instead in very insecure and unstable group identities.[32] Jackson identifies some of the most volatile types of liminal populations: a transborder ethnic group with the members divided across a border; a religious minority where a bordering country has a larger number of that religious group; an ethnic population that 'appears' to be culturally close to a group in a neighbouring country; refugees; and economic migrants.[33] Often the hybrid quality of their identity means that acceptance by other groups in the area is shaky, and they can become susceptible to the rhetoric of populist politicians. This tends to result in disputes between supposed 'autochthons' and 'allochthons' – namely, between those who claim they arrived in the area first and thus have indigenous status and rights to the land, and those who apparently came later (and often from across the border).[34]

The Kivu borderland contains numerous social groups which fit the above profiles. One can look at the predicament of the liminal population of the Banyamulenge (Rwandan Tutsi) of South Kivu, for example.

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[28] Brambilla, Chiara. Fall 2007. 'Borders and Identities/Border Identities: The Angola-Namibia Border and the Plurivocality of the Kwanyama Identity', *Journal of Borderlands Studies* (22) 2: 21-38.

[29] Donnan & Haller, 2000.

[30] Brambilla, 2007; Flynn, Donna K. May 1997. '"We are the border": identity, exchange, and the state along the Benin-Nigeria border', *American Ethnologist* (24) 2: 311-330.

[31] Martinez, 1994.

[32] Donnan and Haller, 2000; Baud and Van Schendel, 1997; Flynn, 1997.

[33] Jackson, 2006.

[34] Ceuppens, Bambi & Peter Geschiere. October 2005. 'AUTOCHTHONY: Local or Global? New Modes in the Struggle over Citizenship and Belonging in Africa and Europe', *Annual Review of Anthropology* (34): 385-407.

Their migration from Rwanda into the DRC in various stages over the past 150 years has led to continual tensions with the so-called native or autochthon inhabitants, especially over matters of land control. However, with the influx of more than one million Hutus into eastern DRC in mid-1994, and the increased politicization of the borderland, these dynamics escalated dramatically. Cleavages of a specifically ethnic nature quite suddenly came to the fore. Jackson notes how in these types of situations, various processes of regionalization such as infusion, diffusion, inversion, and grafting, often help to transform originally confined discourses upwards and outwards.[35] Through the manipulation of conflict entrepreneurs, negative stereotypes of one allochthon population can transmigrate to another, or cleavages between two groups can be inscribed into, and provide energy for, wider political narratives. Indeed, whereas the Congolese had previously spoken of 'Rwandan's', there was now a distinction made between Hutu and Tutsi. As conflict has continued, anti-Tutsism has become more entrenched, replacing other antagonisms throughout the borderland. Via grafting practices, for example, Tutsi stereotypes have migrated to other ethnic relationships such as the Nande of North Kivu.[36] And hence, what starts as localized instances of violence, often in the form of ethnic cleansing or irredentist fervour, can transform into wider regional conflict.

Not only is the border a pivotal influencing factor in the social dynamics of borderlands, but the position of being on the margin of the state – and thereby being subject to frontier forces – is as well. Indeed, the relative absence of the DRC government in the Kivu provinces has been pivotal to the development of the area's violent social networks. While the DRC had essentially collapsed by the beginning of the First Congo War, the Kivus had begun their dissociation from the state well before then.[37] They had long represented a frontier zone (although what they have been a frontier between has changed over time), and by the early 1990s were culturally and economically much closer to East Africa than the rest of their country.[38] Jeffrey Herbst has referred to this predicament as an 'informal secession' and virtual cut-off from the capital Kinshasa, while William Reno has argued that "Kivu in the east has closer contact with

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[35] Jackson, Stephen. December 2002. 'Regional Conflict Formation and the "Bantu/Nilotic" Mythology in the Great Lakes', *Center on International Cooperation*.
<http://www.cic.nyu.edu/peacebuilding/oldpdfs/stephenjackson.pdf>.
[36] Jackson, 2002.
[37] What is now known as the 'DRC' has been referred to by different names throughout its pre-colonial, colonial, and post-colonial history; however, for purposes of clarity this paper consistently uses only 'DRC'; Englebert, Pierre. February 2003. 'Why Congo Persists: Sovereignty, Globalization and the Violent Reproduction of a Weak State', *Queen Elizabeth House Carnegie Project on "Global Cultural and Economic Dimensions of Self-Determination in Developing Countries"* (Working Paper 95): 1-40.
[38] Jackson, 2006.

Rwanda, Burundi and Uganda than with most of Zaire".[39] Such remoteness from centralised control,

together with constant exposure to foreigners, often results in borderlanders having a somewhat

diluted national identity. A 'sense of being different' from their fellow citizens frequently leads to

visions and interests fundamentally at odds with those of the capital.[40] The outcome of all of these

specifically borderland-induced dynamics is a pronounced vulnerability to strife. And such strife is easily

spread through the wider region via the active occupational, familial, clan, and diaspora transnational

ties that tend to exist in such areas – ties which become increasingly strong as the state weakens.[41] In

the end, as Jackson says, "borderlands are ready environments within which insurgencies can

emerge".[42] It should come as no surprise, then, that not only do the Kivus have a long history of

uprisings, but that both the First and Second Congo Wars were instigated by rebellions from these

provinces.

Economic Networks

That borderlands generate quite unique – and volatile – political processes which can engulf an entire

region, is also evident when one considers the economic sphere. While there is a great deal of

scholarship on the war economies of regional conflicts, most analyses have focused on state-led

activities conducted at the macro-level. However, it is among translocal actors (and others) at the

micro-level, in borderlands, where arguably equally interesting and influential practices are taking place.

Again, the paradoxical yet pivotal character of borders is apparent here. Their very essence of being a

barrier is also what provides incentive to cross them and smuggle – smuggling being, according to Van

Schendel, the "border-induced activity par excellence".[43] As Judith Vorrath explains, "smuggling is

completely dependent on the existence of the border since differences in prices, monetary currencies

and the general 'atmosphere commerciale' between neighbour countries are naturally the incentives

and driving forces of these activities".[44]

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[39] Kaplan, Seth. Spring 2007. 'The Wrong Prescription for the Congo'; *Orbis* (51) 2: 299-311; Beswick, Danielle. June 2009. 'The Challenge of Warlordism to Post-Conflict State-Building: The Case of Laurent Nkunda in Eastern Congo', *The Round Table* (98) 402: 333-346.

[40] Martinez, 1994.

[41] Pugh, Michael et al. 2004. 'The Regional Dimensions of Civil War Economies', in Pugh, Michael et al (eds.) *War Economies in a Regional Context: Challenges of Transformation.* Boulder: Lynne Rienner Publishers.

[42] Jackson, 2006.

[43] Van Schendel, 2005.

[44] Vorrath, Judith. February 2007. 'African Borderlands: Below, beyond or against the state?', *ISA Annual Convention Paper*: 1-20.

By virtue of their place on the border, borderlanders across the world have forever been practicing smuggling. In fact, one of the most prevalent features among borderlands is a tradition of having been crucial nodes in trading routes, with a corresponding history of cross-border commercial ties based on kinship, religion, profession, and so on. [45] As Goodhand describes, the opium trade economy based in Afghanistan's borderlands uses ancient qawm and tribal loyalties, and other 'economies of affection'.[46] Likewise, the Kivus' transnational economic links go back centuries, building on trade routes which extended from Central Africa, through to the eastern coast of the continent, and then on to the Gulf and even the Far East.[47] The system nowadays is buttressed by the local population, who not only remain largely attached to traditional economic practices, but are highly experienced in the exploitation of different states' border regulatory regimes. Even those not directly undertaking smuggling activities themselves, still retain cognitive maps directly in-tune with the system, with an acute awareness of old exchange routes.[48] Thus, today borderlands such as the Kivus have deeply entrenched structures of smuggling. These have proven highly resistant to management or control efforts by outsiders such as the national state or UN. Most importantly, they have afforded conflict parties the ability to conduct lucrative business in the export of natural resources, and thereby have provided sustenance and fuel for their war agendas.

The strength of such networks, and their ability to sustain and spread conflict, has been made apparent in West Africa as well. The origins of the region's infamous war economy actually go back to the pre-colonial era, when long-distance trading relationships took root.[49] Although the nature of the trade changed over time – to become one largely concentrated on the informal production and export of diamonds – the system was alive and well enough by the early 1990s to provide a convenient economic platform for the Revolutionary United Front (RUF) and Charles Taylor.[50] Through refinement and adaption of the networks, they were able to relatively easily build a criminalized and violent economic racket, the profits of which proved crucial to their war efforts. Interestingly, this system also helps to explain the particularly brutal character of the war. As Michael Pugh et al note, "the RUF's access to

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[45] Baud & Van Schendel, 1997; Jackson, 2006.

[46] Goodhand, 2005.

[47] Jackson, 2006.

[48] Van Schendel, 2005.

[49] Pugh, Michael et al. 2004. 'Sierra Leone in West Africa', in Pugh, Michael et al (eds.) *War Economies in a Regional Context: Challenges of Transformation*. Boulder: Lynne Rienner Publishers.

[50] Studdard, 2004.

such an extended economic space meant that it did not have to rely on the local population for supplies and other material support. Thus the insurgents did not need to cultivate legitimacy among the local population in the way that would have been imperative if they had been operating within a more enclosed political economy."[51]

In both West and Central Africa, the smuggling of natural resources has clearly been an essential element to not only the continuation of war, but also to the vicious nature of the conflicts. Yet, it is not only the border itself which has played such a crucial part in the development of these violent economic networks; the Kivus' place on the margin of the DRC state has been instrumental as well. The sense of remoteness and alienation from the alleged core has meant that the provinces' economies have been far more directed outwards than towards Kinshasa. This is most obvious when one considers that the currencies in circulation in the Kivus are those of Rwanda and Uganda, and that nearly all commercial products available in the area derive from these countries.[52] More generally, the relative immunity from the so-called centre tends to breed a sense of economic independence and self-assertiveness among borderlanders. This often emboldens an attitude of ambivalence with regards to cooperating with national customs and trade regulations.[53] As Martinez explains, "borderlanders find it morally and culturally acceptable to breach trade and immigration regulations that interfere with the 'natural order' or cross-border interaction."[54] Borderlands could thus be said to have what Goodhand calls a 'comparative advantage in illegality', naturally attracting criminalized and illicit activities.[55] And in terms of actors, the absence of state regulation is inclined to draw in what are known as 'adventure entrepreneurs': quasi-legal logging companies from abroad, shady mining contractors, criminal groups, and so on.[56] These conflict players are comfortable with bypassing state structures in their operations, and, together with the other actors previously mentioned, represent vital components in the perpetuation of violent regional economic networks.

Military Networks

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[51] Pugh et al, 2004. 'Sierra Leone'.
[52] Englebert, 2003.
[53] Martinez, 1994.
[54] Martinez, 1994.
[55] Goodhand, Jonathan. 2009. 'War, Peace and the Places in Between: Why Borderlands are Central', in Pugh et al (eds.) *Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*. Houndmills: Palgrave MacMillan.
[56] Goodhand, 2005.

The position of the Kivu borderland on the boundary of the DRC state has been especially influential in the military arena. Contrary to what traditional explanations of state collapse would often lead one to believe, the lack of state authority in the provinces has by no means resulted in a void of politics. Rather, it has opened up a space in which a wide range of military players have been able to compete for authority.[57] Warlords, rebels, militias, and states are some of the many actors who have vied for the opportunity to exert their presence in this zone. Indeed, to understand this dynamic and innovative space, it is necessary to break out of what John Heathershaw and Daniel Lambach refer to as the 'single sovereign' perspective. As they explain, "state actors are but one group of elite actors who must be considered in their relationship to other local-subordinate, elite and international groups. To exclude other forms of political community and political-economic networks from our analysis, make them matters of secondary consideration or consider them to be mere obstacles and artifices of 'spoiler' factions, obfuscates analysis".[58] The new and 'emergent' forms of authority which have arisen in the Kivus throughout the course of the conflict have utilized a variety of means to maintain their military (and economic, in many cases) control.[59]

A commonly employed strategy has been the forging of transnational alliances. Most interpretations of the cross-border military links in the Great Lakes conflict, however, have been of a top-down orientation. The relationship between Rwanda and the Congolese rebel group the Rassemblement Congolais pour la Democratie (RCD), for example, has been described as one where Rwanda simply uses the RCD as a proxy to further its own interests in the region. However, Severine Autesserre and Stathis N. Kalyvas have been important in attempting to bring about a more dynamic understanding of conflict, placing the agency of violence at the local level as well. Since their focus on the 'local' is too one-dimensional for a borderland analysis – in light of the area's transboundary formation and consequent vibrant array of actors – it makes more sense to substitute 'translocal' for local, as I do in the following paragraph.

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[57] Vlassenroot, Koen. 2008. 'Armed Groups and Militias in Eastern DR Congo', *Lecture Series on African Security*, *The Nordic Africa Institute*: 1-15; Latham, et al, 2001. 'Introduction'.

[58] Heathershaw & Lambach, 2008.

[59] Raeymaekers, Timothy. January 2009. 'The Silent Encroachment of the Frontier: A Politics of Transborder Trade in the Semliki Valley (Congo-Uganda)', *Political Geography* (28) 1: 55-65.

Translocal dynamics are usually perceived as by-products of the central cleavage, and translocal actors as nothing more than replicas of central parties. In actuality, Autesserre argues, while national issues do play a role, uniquely translocal problems are nevertheless crucial in the regional spread and continuation of conflict.[60] In fact, according to Autesserre, it is unresolved problems of social status, traditional power, taxes, and most of all land –played-out on the familial, clan, municipal, communal, or district stage – that are the true driving and sustaining forces behind the Great Lakes' regional violence.[61] While actors operating at the translocal level have certainly provided regional elites with manpower and resources, they have at the same time adopted the language of the war's master discourse in order to cultivate support for their own agendas.[62] Koen Vlassenroot and Timothy Raeymaekers have observed how rebel leaders have used the Rwandan and Ugandan interventions in the DRC to renegotiate their *own* military power positions. Through manipulation of the networks that link them with their external sponsors, these translocal actors at the micro-level have exploited and prolonged the wider war to further their own "deeply rooted local conflict over access to land, economic opportunity and political power".[63] Thus, the forging of cross-border military alliances has not only added to the volatility of the borderland, but has significantly aided in the spread of conflict throughout the region.

While the transnational military networks are definitely a 'two way street' serving parties at both ends, there is no doubt that the absence of effective state power in the Kivus has greatly facilitated interventions from neighbouring countries. It has enabled, for instance, Rwanda to pursue a foreign policy that simply ignores DRC sovereignty, and treats the Kivus as a "zone of demographic expansion and a source of wealth". [64] More generally, state absence also tends to make borderlands natural locations for the flow and settlement of refugees, as well as strategic footholds for rebels and other clandestine actors. [65] After the Rwandan genocide, the Kivus constituted somewhat of an ideal

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[60] Autesserre, Severine. May/June 2008. 'The trouble with Congo: how local disputes fuel regional conflict', *Foreign Affairs* (87) 3: 94-110.

[61] Autesserre, Severine. December 2006. 'Local Violence, National Peace? Postwar "Settlement" in the Eastern D.R. Congo (2003-2006)', *African Studies Review* (49) 3: 1-29; Autesserre, 2008.

[62] Autesserre, 2008; Kalyvas, Stathis N. September 2003. 'The Ontology of "Political Violence": Action and Identity in Civil Wars', *Perspective on Politics* (1) 3: 475-494.

[63] Vlassenroot, Koen & Timothy Raeymaekers. July 2004. 'The Politics of Rebellion and Intervention in Ituri: The Emergence of a New Political Complex?', *African Affairs* (103) 412: 385-412.

[64] Herbst, Jeffrey & Greg Mills. March 2009. 'There is No Congo', *Foreign Policy*. <http://www.foreignpolicy.com/story/cms.php?story_id=4763>; Goodhand, 2009.

[65] Martinez, 1994; Richards, Paul. 1996. 'The Sierra Leone – Liberia Boundary Wilderness: Rain Forests, Diamonds and War', in Nugent, Paul & Anthony I. Asiwaju (eds.) *African Boundaries: Barriers, Conduits and Opportunities*.

sanctuary for the genocidaires, allowing them to receive men and arms to continue their destructive campaign against Rwanda. With the continual retreat of the DRC state, together with the support of various elements of the Congolese population, over time the former genocidaires have been able to become even more firmly entrenched in the DRC. In light of all of this, Alex De Waal is perhaps right when he says, "national boundaries do not matter in this marketplace".[66] However, the pivotal function of the border is of course undeniable. The enormous staying power of groups such as the Forces Democratiques de Liberation du Rwanda (FDLR) is due to the resources (of all kinds) that they have been able to continually rely upon from across the border(s). And so it is no coincidence that borderlands are usually heavily militarised zones, with a history of secessionist attempts, indigenous rights struggles, regionalist agitation, and various other forms of rebellion.[67] After consideration of the social, economic, and military dynamics of the Kivus, it would indeed appear, as Jackson states, that borderlands are precisely "where the action is".[68]

What this Means for Conflict Management & Concluding Remarks

In light of all of the above, there is no doubt that the Great Lakes war would prove a particularly difficult one to manage. "The 'soft belly' of Africa, a huge, rugged place with a notoriously inept army that has become a magnet for all the rogue groups in Africa", as one humanitarian worker described the DRC, would indeed pose intervention dilemmas for nearly any conflict management actor.[69] Nevertheless, a whole host of parties have chosen to take a piece of the pie – become a part of the Central African conflict management pool, with some such as the UN investing unprecedented amounts of money, resources, and effort. It is thus important to consider why there have been such profoundly dismal returns as of yet. As *The New York Times* described the situation in a recent feature on the conflict, "nothing so far – not 18,000 peacekeepers, not various regional peace treaties, not other high-level diplomatic visits – have stemmed the violence".[70]

London: Pinter; Donnan, Hastings & Thomas Wilson (eds.). 1999. *Borders: Frontiers of Identity, Nation and State*. Oxford: Berg.

[66] De Waal, Alex. January 2009. 'Mission without end? Peacekeeping in the African political marketplace', *International Affairs* (85) 1: 99-113.

[67] Goodhand, 2009.

[68] Jackson, 2006.

[69] Gettleman, Jeffrey. 11 August 2009. 'Clinton Presents Plan to Fight Sexual Violence in Congo', *The New York Times*. <http://www.nytimes.com/2009/08/12/world/africa/12diplo.html?_r=2&ref=africa>.

[70] Gettleman, 2009.

The approach taken by MONUC has conceptually been largely in line with the RCF and network war theory. A macro-level frame has oriented MONUC towards the common recipe of dealing almost solely with official elites at the national level, taking a military approach towards problems such as the continued presence of the FDLR, and focusing on DRC statebuilding through elections.[71] Bypassed have been the role of translocal actors in the conflict, the political issues behind the enormous staying power of rebel groups, and most generally, integrated regional approaches to peacebuilding. In essence, a single sovereign perspective has been practiced, where the centrality and all-important role of the state has been adhered to above all else. This embedded statism has, in the end, precluded the UN from meaningful consideration of the borderland-induced dynamics that have been producing the violent political networks throughout the region.

The above then begs the question of 'what exactly should the UN be doing?' Most basically, a *comprehensive* regional approach must be adopted. This would involve treating the Kivu borderland as a dynamic unit of its own, and recognizing the sources of its unusual politics: namely, (1) its position of being on the DRC/Rwanda, Burundi, and Uganda border, and (2) its position of being on the margin of the DRC state. It is important to note, however, that this particular borderland is by no means wholly unique in terms of the lack of sustained attention it has been given by the international community. According to Studdard, inadequately *regional* conflict management policies can be found across the world.[72] As she says, "although there has been recognition that Afghanistan's peripheries are in need of dedicated economic attention, although the Stability Pact for South Eastern Europe has been in place since 1999, and although some conflict trade controls have a regional dimension in West Africa, there are still no comprehensive policy approaches to the transformation of regional conflict complexes that will reduce their potential for future conflict."[73]

In practical terms, taking a borderland approach to regional conflict management would start with minimizing the consequences of what Jackson calls 'edge effects': the "radical contrasts and discontinuities experienced by citizens on either side of a border ... [which] may arise from differences in legal frameworks between countries ... or they may result from differences in other kinds of international intervention".[74] Essentially, edge effects stem from policies that fall short of seeing the

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[71] Beswick, 2009; Autesserre, 2008.
[72] Studdard, 2004.
[73] Studdard, 2004.
[74] Jackson, 2006.

borderland as an integrated whole – or more specifically, policies that fail to understand how initiatives confined to the boundaries of a state will be made redundant if the political dynamics linking one side of a border to the other are not taken into account.

The edge effects brought on by inadequate strategies for disarmament, demobilization, and reintegration (DDR) and the curbing of war economies, for example, have been especially obvious. The UN's involvement in the regional conflict in West Africa is particularly illustrative in this respect. Due to different levels of cash payments offered to ex-combatants in Liberia and Cote d'Ivoire, the UN effectively created an incentive scheme for fighters to attempt demobilization in *both* states.[75] Furthermore, when a domestic certification scheme for diamonds was introduced into Sierra Leone, the result was simply a reversal of the direction of the diamond flows to Liberia.[76] Likewise, banning poppy production in Afghanistan translated to a marked increase in poppy cultivation in neighbouring areas.[77] Incomplete DDR programmes in the Great Lakes, meanwhile, have allowed economic networks to move in and transfer substantial quantities of arms between countries, creating significant displacement or balloon effects. Similarly, insufficiently reintegrated combatants, acting through regional social networks, have incessantly moved throughout the Great Lakes area (a practice which some call 'the revolving door of mercenaries'), seeking economic reward for military service. Thus, not only have the profoundly regional dimensions of the conflict been overlooked, but the strength, durability, and malleability of its networks have been – to put it mildly – underappreciated.

For a conflict which has become known as the most deadly since World War II, and with peace still proving to be elusive to this day, the consequences of a misguided regional conflict framework at both the academic and policy-making levels are unquestionably serious. Appreciating the borderland as a political unit of its own – capable of providing the constituting structure for pervasively violent regional conflicts such as that in Central Africa – does not, however, mean that one must necessarily go so far as Herbst and Greg Mills, when they proclaim that "the Democratic Republic of the Congo does not exist" and that "the very concept of a Congolese state has outlived its usefulness."[78] What it does mean, though, is that the state needs to cease being our unquestioned ontological referent point for regional conflicts, and the borderland needs to assume the position of central periphery.

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[75] Jackson, 2006.
[76] Jackson, 2006.
[77] Studdard, 2004.
[78] Herbst & Mills, 2009.

PEACEFUL CO – EXISTENCE AND SUSTAINABLE BORDER DEVELOPMENT IN THE NIGERIAN BORDERS

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PEACEFUL CO – EXISTENCE AND SUSTAINABLE BORDER DEVELOPMENT IN THE NIGERIAN BORDERS

Abstract

The paper identifies Nigerian boundaries and examines the nature of socio-economic and political relationship between Nigerian and her neighbours. It undertakes an in-depth analysis of selected hinterland and maritime border areas, the existing institutional frameworks, the level of co-operation and the political and economic conflicts that exists. Beyond Nigeria, the paper examines in a comparative perspective trans - border development initiatives both in the developed countries, and draws insights that could contribute to the building of a theory of African borders and advancement of development in African border lands. The paper identifies lessons that could be modelled in the Nigeria /Chad/Cameroon border that would foster peaceful co-existence, trans – border co – operation in border development, the building of institutional frameworks and stake holder involvement in border development.

1   INTRODUCTION

African boundaries are largely diverse lines of demarcation that resulted from treaties and agreements based on the interests of the former colonial masters, namely Britain, France, Germany Portugal and Spain who were then the world super powers. These borders were more or less arbitrary in nature, fluid and porous, defined by treaties rather than marked or clearly demarcated on the ground as is common in contemporary times. These imposed boundaries did not take cognisance of the existing boundaries of pre-colonial empires. The result is the superimposition of non-indigenous, shared, and non 'pure borders' that have split related ethnic and religious groups, common ecological zones, cultural coherent areas, common sea bed into two or more units and placing them in antagonistic political systems in some cases, with resultant promotion of conflict at the state centric levels. The separation and excision of ethnic and culturally related people from their kith and kin sowed seeds of discord among these groups who rose up in gallant defence for their territory, sovereignty and integrity.

However, empirical evidence reveal that these boundaries are incognito at the micro grass root levels where relationship between and astride groups across these boundaries still reflect the pre

colonial setting. (Bonchuck, 2006) For example, across the Nigeria-Niger border, the Hausas remain as a coherent dominant group with Islam as a cementing factor. Social, economic, cultural, religio–magical activities still exist across and astride the Nigerian border zones especially along the South West Nigeria-Benin Republic, South – Eastern Nigeria – Cameroon regions despite their divergent systems of governance, legal systems, administrations, educational systems and such like. The relationship between former kiths and kins torn apart by state – centric measures and policies that seek to keep them apart is still closely knit. Among these are the Yoruba of Western Nigeria and the Gun of Porto-Novo, Benin Republic and the Ejagham Boki and Becheve Akwaya people separated by the 1913 Anglo-German agreement, into the Cross river region of Nigeria and South West Cameroon.

The need for present nation states to maintain and protect their territories has bred numerous conflicts. Besides African border regions have been distant from the policy and development attention of the states. This has to underdevelopment and conflicts in the border areas. It is against this backdrop that the paper focuses on examining the socio-economic and political relationship between Nigerian and her neighbours and highlights the need for peaceful co – existence. It undertakes an in-depth analysis of selected hinterland and maritime border areas, the nature of political and economic conflicts and the nature and frameworks of co-operation. The paper hopes to contribute to the development of theories of African borders that could guide, inspire and engender the development of joint economic ventures and cross border co-operation among contiguous states.

2   CONCEPTUAL FRAMEWORK

This section discusses the concepts of peaceful co-existence, border areas or zones and sustainable development. There exists an interrelationship between these three concepts. Borders are meeting areas of distinguished states. Where border blurring is sustained to engender regional cooperation, peaceful-co-existence becomes a vehicle for states to attain desired goals. These terms are discussed in contextual terms in this section.

The concept of Boundaries

The terms 'boundaries', 'frontiers' and 'borders' are sometimes used interchangeably. (Cukwurah 1993, Adalemo 2007) Boundaries are perceived variedly by the academic disciplines in the arts and the social sciences. The various definitions focus on physical socio-cultural economic, historical or political phenomena of identified regions in the geographic space. From a geographical perspective, Adalemo (ibid) views borders as the limit beyond which a phenomenon is no longer dominant or existent. It contains within it the notion of contact, which may be punctiform, lineal or areal. A boundary may be real or imposed. In a spatial context, boundaries represent areas of various shapes whose cores and peripheries can be distinguished from other contiguous or adjacent geographical area. Thus boundaries may be identified with respect to the phenomenon of discourse. We can then identify natural and ecological, socio-political, socio-economic, theoretical and analytical boundaries. In the view of Wilson and Donnan (1998), Borders represent eminent domains of a state. They are markers of present and past relationships with its neighbours. Characteristically, they identify three elements of borders; the legal borderline, the physical structures of the state (people and state institutions at the border) and frontiers and territorial zones of varying width stretching across and away from the borders. They also note that historically these frontier areas are associated with ancient city states, kingdoms and empires.

In the context of the state, Akinyele (2008) notes that a boundary generally marks the limit of political or administrative jurisdiction. He adds that where this boundary separates two sovereign states, it is called a border. Put this way boundaries of nation states in Africa are mere administrative lines that separate contiguous nations that demarcate their areas of jurisdiction and sovereignty. Udo (1992) comments that due to the hurried way African boundaries were made and the limited state of knowledge about the geography of Africa, there is no type of boundary (astronomical lines, mathematical lines or boundaries based on relief features) which does not suffer from the defect of cutting across and thereby dividing the territories of many African peoples. Bobbo. D (2006) defines a boundary as an administrative line that delineates or demarcates the scope of two or more administrative jurisdictions, for example, the Nigerian nation and her proximate neighbours. However, as Bobbo notes, the modern trend of globalisation and integration of modern states such as those in the European Union, boundaries

could now be seen as points of contacts and bridges of cooperation and socio – political and economic exchanges.

Borderlands / Cross border areas

Both terms may be used simultaneously to define land areas around the border or international boundaries where the locational effect of the border is felt in their social, economic and cultural activities. Cross border areas are overlapping regions at state frontiers. In most cases these areas are more or less twilight zones at the peripheries of nations. Unfortunately, these zones in most countries are neglected in planning and development but yet possess characteristics that can be harnessed for regional development. Kolars and Nystuen (1974) have given the appellation 'boundary dwellers' to the population group inhabiting these zones.

They contend that these unique set of inhabitants are noted for adjusting to the peculiarities that result from the inter-fingering and interaction of adjusting domains.

These populations more or less in some cases have similar ethno-cultural characteristics which tend to engender as well as sustain social and economic relationships despite the existing national boundaries between states.

According to Diarrah (2007), the Sikasso sub regional seminar (March 2002) reached a consensus identifying

a 'cross border area' or triangle as a geographical area that overlaps between two or more neighbouring states and whose populations are linked by socio – economic and cultural bonds.

In the light of this definition, cross border areas can been clearly identified in terms of their physiographic, ecological, cultural, social and economic characteristics at the micro state level. These can be harnessed for regional development. The objectives for focussing on cross border areas as a new approach to bottom – top integration as highlighted in Sikasso is with the broad aims of creating local integration zones. The specific objectives are listed below

- Create homogeneous areas of development and co-operation;

- Encourage trade and social and cultural exchanges across borders;
- Create better conditions for the circulation of goods and people;
- Promote cross-border co-operation and help communities undertake common dev elopement actions in the fields of health, education, arts, sports and culture, agriculture, transport, energy, environment and industry;
- Harmonise national sectoral policies on health, education, infrastructure, sports, arts and culture;
- Intensify trade flows by providing infrastructure and capital equipment for border markets and by creating and strengthening production-to –distribution chains;
- Create a sub regional unit on "cross border areas" and a monitoring unit at the Sahel and West Africa Club.

From the above the cross border area development strategy will not only be a driver for public policy but a way to speed up development at the grass root level and the process of peaceful co-existence and sub-regional integration. Thus the concept of border areas and their development has become germane in contemporary attempts to enhance cooperation between and among contiguous states in an attempt to attain sub-regional cooperation, particularly in Africa where the concept is still at its nursery stage..

Peaceful co-existence

Conflicts between nations often arise from attempt to secure their territorial extent and in particular protect the resources therein. The alternative to peaceful coexistence is situations of war, conflict and unrest which breeds uncertainties, creates tensions, destabilise human settlements, households, and mans economic activities, destroy existing vital infrastructure and halts on – going and future programs and policies of nations. Conflicts and war destroys human lives end engenders hunger, malnutrition and disease as experienced in war ridden areas of Ethiopia and Somalia in Africa.

Contrastingly, a peaceful and harmonious environment is desirable for good governance, international relations and national as well as regional development. Organisations will be able to achieve set goals. International investors will also be attracted to areas of peace, and such investments will promote economic development of states. It enables states to plan for the future

and thus foster sustainable development. It creates an enabling environment that will promote mans participation in political, economic, social and cultural activities. It also encourages and promotes good neighbourliness.

Peaceful co-existence between nations is a springboard for mutual understanding, planning and development within and among nations. It facilitates the promotion of objectives of mutual interests and encourages regional development and integration among contiguous states. It also sustains joint development programs, organisations and bi-lateral agreements between states. It also promotes sustainable development and boosts regional integration.

Studies have noted that these all often fall short of the expectations at the local/community levels. Kriesberg (1998) argues that co-existence manifests itself both structurally and subjectively. Structural co-existence is characterised by different degrees of integration or separation between groups. Integrated groups are inter - independent. They interact with one another and may manifest different degrees of equality and inequality. Most of these have to do with illegal economic activities that take place at international borders. Subjective co-existence is characterised by relationships that exhibit degrees of tolerance, mutual respect and dehumanisation. Generally, groups tend to value their own members more highly than others, and so to devalue members of other groups. On the whole, tolerance is fostered by identities which cut across group boundaries.

Instances of benefits of such cordiality that presently exist between Nigeria and her neighbours are those with Niger and the Republic of Benin has enabled the construction of the Kainji Dam. The Fulani transhumance and the sustenance of the stock routes across the borders into Chad, Niger and Cameroon as well as the Port of Cotonou which is accessible to both Nigerian and Beninois businessmen are other instances of peaceful coexistence with her neighbours.

Sustainable development

Sustainable development is the development which meets the needs of the present generation without compromising the ability of future generation to meet their own needs. (UNDP, 2OO6). It is concerned with the carrying capacity of natural systems vis a vis the mans development

strategies. Four main policy areas can be identified; environmental, economic, socio-political and cultural sustainability. Economic sustainability for example, stresses the need to change from old sector centred ways of doing business to new approaches that involve cross – sectoral co-ordination and integration of environmental and social concerns to all development process.(Wikipedia, 2007). Sustainable development will involve strategies that will be environmental friendly. It will involve capacity building among some local beneficiaries in order to ensure the survival of projects thus emphasising the bottom- up approach. Sustainable development aims at meeting the needs of a country, eliminating poverty; achieving sustained decent living conditions; maintaining the physical and human environment for the present and future generations of a given country.

3 BORDERS, DEVELOPMENT AND CONFLICTS: ISSUES AND CHALLENGES IN AFRICA

Asiwaju (2008) argues that differential colonial rule, which left much of its imprints on the post colonial era was not characterised by a concern for cooperation between discrete neighbouring territorial administrations. Rather, the normal demand of the colonial and post colonial periods was for rival territorial and boundary politics and associated border administrations. The growing desire and need for cooperation between states in their border zones stems from the recent global trend where integration and globalisation are in vogue. This has essentially led to a transformation from a border - maintenance nationalist orientation to regional – integration – compliant disposition of policy makers on both sides of the borders. The emergent transformation is important in furthering the goal of regional cooperation's among African states in attaining the Millennium Development Goals and developing global partnership for development and ensuring peace and stability in Africa.

But African borders have proved to be obstructions to integration due to regional conflicts and territorial disputes among states. Asiwaju (1992) argues that borders have become more restive nourishing the familiar type border "fortress mentality" and promotes the archaic view of border regions as "militarily threatened areas unsafe for and unworthy of planning and investment" In the case of the Nigerian state, nationalist fervency have sharpened border conflicts with grave

consequences on both sides. Examples of such conflicts are the Nigerian-Cameroon Ikang crisis (1983) when five Nigerian naval ratings were killed by Cameroon gendarmes, the crisis at the Bakassi Peninsular with the massacre of twenty Cameroonian soldiers in 2007, the Nigeria – Chad armed conflict (1983) among others.

The desire of African nations to forestall these disputes and promote peaceful co-existence and foster social and economic integration among contiguous states has led to the establishment of sub regional institutions. The African Union (AU), The Economic Community of West African States (ECOWAS), The East African Union (EAU), The West African Economic and Monetary Union (WAEMU) are examples of such organisations. Although these have all had limited successes and in most cases have been unable to fulfil their intended objectives, the initiative is a welcome development to fostering peaceful co-existence in the African sub region. Their failures have largely been attributed to the political instability of member states which has engendered the unsustainability of government policies among member states. Nevertheless a major lapse in these initiatives is the neglect of such cooperation's in initiating, maintaining and sustaining border development programmes amongst its member states. Border communities in most African nations tend to suffer from neglect in terms of development due to their physical and political distance from the centre.

However, the aforementioned historical, cultural and economic affinities and intermingling can be a building block for border development and co-operation. The author agrees with the view of Bonchuck, 2006,

That, this existing micro- historical integrating percolating realities could be harnessed by the various governments for border management at the macro and state centric level.

The next section attempts to identify the present boundary corridors of Nigeria in order to examine the contemporary status of her borders in terms of their demarcation and the relationship with her neighbours both in the land and maritime regions.

4 THE BOUNDARY CORRIDORS OF NIGERIA

Nigeria has a population of about 140million people with a great diversity of cultures, cities and physical terrain. It has a total land area of about 923,768 sq. km (356,668 sq.mi). Its coastline on the Gulf of guinea stretches for about 774km (480mi). She shares her international hinterland borders with four neighbours, namely Chad, Cameroon, Benin and Niger and maritime borders with Cameroon, Benin, Ghana, Equatorial Guinea, Sao Tome and Principe. The nations borders have either never been demarcated or have to be re- beaconed and surveyed due to the massive disappearance of the old and extremely few boundary markers put in place by the erstwhile colonial regimes (Bonchuk 2006). This section attempts to critically examine the status of Nigeria and her international boundaries both on land and in the sea.

4.1   Nigeria's Land Boundaries

The Nigerian- Benin Border

The Nigerian- Benin land boundary which is about 770kilometres is largely a product of the Anglo – French agreement of 19th October 1906 as amended by the protocol of 20th July 1912. After the colonial era, the two nations agreed and prepared a more practical description of the boundary sequel to the ambiguities in the earlier treaty particularly as it relates to physical features. Bilateral actions such as the meeting of Joint Technical Committee and Trans-border workshops have featured over the years resulting in the peaceful coexistence of both nationals in the border region.

The Nigerian- Cameroon Border

The Nigerian- Cameroon Border on the east of about 1800 kilometres, is its longest land corridor, extending from Lake Chad in the North to Bakassi Peninsula in the Atlantic ocean. The Republic of Cameroon had on the 29th of March 1994 taken the Federal Republic of Nigeria to the International Court of Justice to determine the course of the maritime boundary between the two states beyond the line fixed in 1975 by the agreement between the two Heads of States. There was also a further application by Cameroon on the 6th of June 1994, requesting the court to specify definitively the land boundary between the two states from Lake Chad to the sea. The pertinent issues were the ownership of the Bakassi Peninsula with a land area of 612 sq km and an estimated population of 156,000 people and the 33 disputed Nigerian villages in the Lake Chad with an estimated population of 60,000 people. It was also to determine where the

maritime boundary between both nations lie as well as ascertain if the existing boundary treaties and other instruments adequately define the land boundary between the two countries from the lake Chad to the Atlantic Ocean.

This boundary has been the most volatile in recent years until the judgement by the International Court of Justice (ICJ) on the 10th of October 2002, awarding the Bakassi Peninsula to Cameroon in pursuant to the Anglo-German Agreement of 11th march 1913, the Declaration of Yaounde II (1971) and the Maroua Declaration of 1975 which were both a re-affairmation of the former.. Nevertheless this paper notes that since pre colonial era (that is, before 1885) in the Adamawa /North West Cameroon area as well as the Cross River/ South West Cameroon region religious, ethnic, cultural, and occupational activities between Nigerians and Cameroonians along this corridor have defied political boundaries and sometimes, threatened peaceful co-existence between the two countries.

The Nigerian- Chad Border

The Nigerian- Chad Border is about 96km. It is a straight line sector joining the Niger/Nigeria/Chad tripoint with the Nigeria/Cameroon/Chad tripoint (Bobbo op cit). The former was determined by the Anglo-French protocol of 1910 as approved by the exchange notes of 1911. The latter was established by the Anglo-French Convention of 1906 with a clearer definition by the Anglo –French Exchange notes of 1913. The Nigerian/ Chad boundary has been an area riddled with tensions and conflict st. This has been adduced to the receding waters of the Lake Chad whose enormous cultures and civilisations, socio – political relations as well as economic potentials are of immense benefits to the adjoining nations.

The Nigerian- Niger Border

The Nigerian- Niger border of about 1600km and defined by Treaty No 1 of 1912 between France and the United Kingdom. It is presently demarcated with 148 boundary markers on land with a water boundary along the Kumadugu Yobe river and ends at a tripoint on the Lake Chad for a distance of 26.7km. The close cultural affinity and maturity of the leaders of both nations has earned this borderland the best example of African brotherhood and mature leadership. Actions on this boundary are undertaken through bilateral cooperation between both nations.

Multinational organisations such as Nigeria-Niger Joint Commission and the local bi-lateral Committees Treaty No 1 of 1912 (LBAs) operating along the border states and Prefectures of Nigeria and Niger respectively.(Bobbo op cit)

4.2 Nigeria's Maritime Boundaries

Nigeria shares a maritime boundary with the Republic of Benin, Republic of Camroon, Ghana and the Republics of Equatorial Guinea, Sao Tome and Principe. In terms of determining the boundaries, the relevant provisions of the United Nations Convention on the Law of the Sea (UNCLOS) have always been employed by Nigeria. The identification of these borders and their relationship with Nigeria is discussed below with a view to identify areas of conflict or peaceful coexistence.

The Nigerian- Cameroon

According to Vogt (1987), this the longest and most complicated topographically of all Nigeria's International boundaries. Following the International Court of Justice (ICJ) on the boundary dispute between Nigeria and Cameroon, a Mixed Commission was established at a Geneva meeting on the 15th of October 2002 to consider the implication of the decision including the need to protect the rights of the affected populations in both countries. Among other responsibilities the commission to hold meetings on a regular basis between local authorities, government officials and heads of States and develop projects to promote joint economic ventures and cross border co-operation. In this regard the commission has been able ensure that both nations have contributed Three million US Dollars each to the United Nations Trust Fund for the demarcation exercise. It has also focussed on the reconstruction and rehabilitation of the Trans African Highway that connects the two countries from Ikom (Nigeria) and Mamfe (Cameroon)

The Nigerian- Sao Tome and Principe Border

The delimitation of the maritime boundary between Nigerian- Sao Tome and Principe commenced based on the principle of proportionality and equidistance but came to a stalemate which led to the establishment of a Joint Development Zone (JDZ) consisting of the overlapping areas of claims in their respective Exclusive Economic Zone(EEZ). The overlapping area is

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currently managed by the Joint Development Authority (JDA) with the proceeds shared on a 60:40 ratio in favour of Nigeria. Among the achievements of the JDA is putting in place the necessary fiscal regimes that guide oil and gas exploration in the zone, the commencement of JDZ Block 1 in mid January 2006 to set the stage for potential producers of hydrocarbon and the signing of 3 Product Sharing Contracts (PSCs) while work on two other PSCs are at an advanced stage.

The Nigerian- Benin

The Nigerian- Benin has been determined by both nations based on the principle of equidistance as well as the geographical configuration of the coastline. The resulting equidistance line swung to a south westerly direction due to the protrusion of the Niger delta. Nigeria conceded to allow the Republic of Benin reach the full 200M of its Exclusive Economic Zone. Consequently, this maritime boundary is a modified equidistance line acceptable to both nations.

The Nigeria – Equatorial Guinea border

Nigeria and Equatorial Guinea has been able to negotiate a single maritime boundary line by adopting a three sector approach based on a form of modified equidistance. The resulting line safeguards the interest of both countries For example, the issue of resource straddling both countries was dealt with by means of unitizing the Zafiro and Ekanga Oil Field in a treaty signed on the 23rd of September 2000 accompanied by a Memorandum of Understanding which was ratified by both countries. The relationship between both countries has since grown considerably.

The Nigerian - Ghana

The Nigerian - Ghana border exists due to the contiguity of the geography/geomorphology of their continental shelf of both countries despite their geographical separation by Togo and the Republic of Benin. Both nations have signed and ratified the United Nations Convention on Law of the Sea (UNCLOS) 1982 that enabled each of the nations acknowledge the establishment of their respective Exclusive Economic Zones (EEZ).

5   THE NEED FOR PEACEFUL CO-EXISTENCE

The Nigerian state has noted the import of peaceful co-existence with her neighbours. In this regard, the Federal Government of Nigeria set up the National Boundary Commission by promulgating Decree No. 38 of 17th December, 1987 (CAP) 238 Laws of the Federation of Nigeria, 1990. This agency is geared towards the enhancement of peaceful coexistence amongst border communities, good neighbourliness and the promotion of African brotherhood. Consequently, its activities are hinged on the promotion of peaceful boundary regime, trans-border cooperation, clarifying the status of specific contending areas and the promotion of Nigeria's interest in general.

6   EXAMINING AREAS OF POLITICAL AND ECONOMIC CONFLICT

It will be unwieldy to examine all areas of political and economic conflict as well as existing cross border co-operations between Nigeria and all her neighbours. Existing literature on the nations' borders reveals that extensive research has been carried out on other borders such as the Nigeria/Benin, Nigeria / Cameroon (South West) and the Nigerian / Niger hinterland borders. The paper selects and examines two borders as case studies; Nigeria / Chad /Cameron border (north) which is a hinterland border and the Nigerian / Sao Tome and Principe Maritime border, highlighting areas of existing conflicts and/or co-operations in these borders. It further undertakes a perusal of examples in the developed world, particularly in Europe and America which have had long and outstanding trans - border development. The paper attempts to compare both and also build theory for African states to emulate at the macro level and the selected hinterland and maritime Nigerian boundaries at the micro level.

CASE STUDIES

6.1   NIGERIA/ CHAD / NORTH WESTERN CAMEROON BORDER

The area extends from the straight line sector joining the Niger/Nigeria/Chad tripoint with the Nigeria/Cameroon/Chad tripoint in the North east, and extends southwards along the to the Nigeria/Cameroon border up to the Benue River (Adamawa /North West Cameroon area). It covers parts of the Bornu, Dikwa , Mandara and Adamawa emirate, of pre-colonial Nigeria. The area is well drained by rivers such as Yobe, Yedseram, Ngadda and the watershed of the Benue and Lake Chad. On the Cameroonian side of the border, the source of the Benue river is known

as Dea, Maio Kabi from the North and Maio Faio from the south respectively in the Ngaunda Massif. The North Eastern border is flanked by mountaneous ranges. These include the Mandara and Alantika mountains and the Adamawa highlands. Along the international boundary, north of the Benue escarpment begins an extensive plateau at the watershed of the Benue and Chad basin, North of Yola. (See Anexure 1)

6.1.1 The Historical Relationship of the Borderland

Along and astride this northern boundary of Nigeria with Chad and Cameroon, similar cultures prevail. This manifests in their religion, laguage and economy. Influences, ideas and cultures are shared and transferred among the Hausa, Fulfulbe and Fulani. The Marghi, Hiji, Fali, and Gude tribes occupy the Chad Basin with the last three dwelling on the lofty hills in the border zone.(Yola Prov K 5/ S – 2, Gazeteer of Adamawa Province , 1936). The historical relationship in this zone can be adduced to the Sultanate of Bornu and Sokoto Caliphate hegemony that once ruled over the entire region. According to Barkindo (1984), the Sayfawa rulers of Bornu established the foundation of Bemoan Sovereignty over chieftains now to be found in Cameroon depicting political hegemony between both sides since pre colonial era.

6.1.2 The Economy of the Borderland

Similar economic activities take place along and across the border. The main occupations of the inhabitants are fishing, pastoralism, subsistence farming and trading. Yola was a major focus of trade routes where various districts brought goods that promoted an exchange economy. Other notable towns that produced foodstuffs were, Budang (date trees), Ngundere (yams), Sawaru and Marua (indigo). Madegele was noted for her iron deposits (Otoide, 1992).

6.1.3 Areas of Conflict along the Borderland

The Nigeria – Chad border is the shortest land international Nigerian boundary but it is most restive, volatile and threatening in ethnic, religious, economic and military terms. Ethnic, religious and cultural diffuseness prevail coupled with the political instability in Chad have all challenged the security of this border. One of the major sources of conflict between both nations

is the stock roots (patterns of transhumance of the Shuwa Arab) that transect their respective communities. Okoli (2007) attests that over the years the co-existence between the nomadic herders and sedentary cultivators has given rise to cattle paths for pastoralists to avoid encroachment on cultivated land. These movements occur through international routes. Some of these routes enter Nigeria through Borno State from neighbouring countries of Niger, Cameroon and Chad Republics.

Empirical studies have revealed that this is a potential source of conflict among pastoralists and their communities, and among the pastoralists and the farmers, among the communities across the border and between Nigeria and the Cameroon Republic (Awogbode, 1993). Leaders of nomadic Fulani on transhumance often seek permission for grazing and passage from the leadership of the constituted settled communities. The success of this depends on mutual cooperation and respect. This occasions the need for peaceful co-existence between communities. Some of these conflicts between farmers and pastoralist arise from increased bush burning, increase population pressure and increased cultivation of crops. Others are the inadequacy of stock routes, grazing lands for pastoralists, inadequate water points for the livestock and lack of effective grazing reserve policies. Along the Nigeria-Cameroon Border (The Adamawa Region) Okoli (2007) notes that along this land corridor the population, religious, cultural and even topographical characteristics of both nations are similar and predate colonial boundaries around the former Sardauna Province in the North. He adds that the ethnic, cultural, religious and occupational activities between Nigerians and Cameroonians along this corridor defy political boundaries and sometimes threaten peaceful co-existence between the two countries.

6.1.4 Areas of Peaceful Coexistence along the Borderland

As earlier mentioned, boderlanders have lived peacefully in pre colonial era. Similarity in culture, religion and economic activities has further strengthened their peaceful co –existence despite the distinct administrative boundaries and governments. Tension in the area in the recent past resulted from the effect of the receding waters of the Lake Cad as it impinged on the border economy.

6.2   The Nigerian / Sao Tome and Principe Maritime border

6.2.1   Areas of Conflict along the Borderland

Although no armed conflict has been recorded in this boundary, both nations have expressed and also protected their interest in the oil rich continental shelf. This has led to attempt to demarcate the maritime boundary in accordance with the United Nations Convention on the Law of the Sea (UNCLOS). As earlier mentioned stalement in the talks between both nations led to the formation of the Joint Development Authority. Poor management of this resource is a potiential source of conflict in this border zone.The Sao Tomean government has called for transparency in negotiations between both nations.

6.2.3   Areas of Peaceful Coexistence along the Borderland

In 2005, the Nigeria and Sao Tome governments entered into an eight year contract for exploration by some multinational companies in the region. This agreement will also enable up to 20years of oil production in the Gulf of Guinea. Activities of the Joint Development Authority have enabled peace between both nations in this maritime border. Among the achievements of the Joint Development Authority is the putting in place the necessary fiscal regimes that guide oil and gas exploration in the zone, the commencement of JDZ Block 1 in mid January 2006 to set the stage for potential producers of hydrocarbon in this zone. They have also been able to sign 3 Product Sharing Contracts (PSCs) and the other two are at an advanced stage of their conclusion.

Sinopec International Petroleum Exploration and Production Corporation (SIPC) of China founded in 1994 already has a participating interest in four highly prospective properties in the deepwater Nigeria – Sao Tome Joint Development Zone (JDZ). The interests include a 45 per cent participating interest in and operatorship of Block 4; 15% in Block 3, 14.33 % in Block 2 and 40% in Block 1.(Ejiofor, 2009)

7   LESSONS FROM THE DEVELOPED WORLD

7.1   Peaceful Co-Existence in Asia

Following the political independence of some Asian countries, and the desire to protect and defend their sovereignty, India, Myanmar and China jointly sought to adopt peaceful co-existence as a tool for developmental aspirations based on the issuance of five principles. These principles are built around equality of members; mutual non – interference in each others internal affairs; mutual respect for the sovereignty and territorial integrity of member states, equality of members; mutual benefit and peaceful co – existence. The relevance of these principles is observed in their unconditional endorsement by the United Nations in its charter. These five principles of peaceful coexistence have practical applicability through :

- Upholding the sanctity of sovereign equality of states
- Promotion and maintenance of peace and security through dialogue
- Acknowledging with due concern the diversity of world's economies
- Promoting common development of the world's economies on the basis of equality and mutual benefit.
- Recognising and giving full scope to the important role of the united nations and other multilateral   arrangements.(Chienese   Envoy.   2007) (http://www.empre.cn/eng/2xxx/t140777.htm)

7.2   Case Studies of Cross-Border Development In Developed Nations.

7.2.1   EuropeanUnion

Not much emphasis is laid on the European Union at the macro level in this paper. This is mainly because it comparable the African Union. European custom Union which has resulted in the lifting of all restrictions on the flow of labor, capital, and goods within the twelve member states has furthered the cause of European integration. However the success of Euro regions has been noted in varied literature. Lessons from the successes of the Union will be valuable at an African macro level of analysis. In line with the African union charter African integration must be predicated on her history. The establishment of the European Union is which is foremost in cross - border issues is worthy of emulation. Presently many trans – boundary agreements exist and a few will be examined below in terms of their achievements and challenges with a view to develop theory for African states. It is hoped that lessons will emanate from this overview that will help to promote cross – border activities in the selected Nigerian borders.

7.2.2 Central American International River Basins and Cross –Border Cooperation (The Lempa Example)

The Lempa River basin encompasses approximately 18,000 km2, with approximately 16% (2,800 km2) occupied by Guatemala, 32% (5,800 km2) by Honduras, and 52% (9,500 km2) by El Salvador (UNEP/OSU, 2002) Approximately 4.1 million people, constituting - nearly 17% of the combined populations of the three countries inhabit the basin. Major source of potential conflict or cooperation over water resources in the Lempa River basin relate to the historical relations between the riparians, geography, resource dependence, and environmental change.

 The Lempa Basin covers 49% of El Salvador's areal extent and is a major source of her of it's electricity (37%) as well as coastal and fishing activities (USAID/CCAD/ CATIE, 2001).Due to its down stream location, it suffers the greatest impact from the Lempa River's deterioration up stream due to farming and the direct discharge of domestic waste into the river. In contrast, only 2.3% of Guatemala and only 4.9% of Honduras lie in the basin.

7.2.2.1 Historic political tensions / Socio-economic interdependencies in the Lempa River Basin

In the Lempa river basin environmental, economic, and political factors have contributed to conflict. Interstate relations between El Salvador and Honduras have oscillated between periods of peace and war. Boundary disputes have lingered about sections of the border between El Salvador and Honduras. Also, Nicaragua, Honduras, and El Salvador continue to argue over fishing rights in the shared Fonseca Gulf. Socio-economic interdependence, shared responsibility for pollution, and cooperative institutional arrangements has led to partnerships between the nations, thereby fostering co-operation and reducing conflict.

The boundary area between Honduras and El Salvador is the largest population center in Central America. Local populations interact frequently; The inhabitants are linked socio - economically and they are willing to work together to protect their own interests. An example is the

communities in Honduras and El Salvador that recently opposed a bilateral initiative, known as El Cimarron, which sought to build a new dam on the Lempa River. They formed a committee known as El Comite Ambiental de Chalatenango, designed to integrate the diverse interests of governmental institutions and of civil society and in the Cimarron project.

Institutional arrangements such as the latest component of the Trifinio management plan for the upper basin area of the Lempa River was also instituted in 1996, through a peace agreement by the three nations has also enabled peace in their shared boundary region. In 1998, the signatories completed the Central American Action Plan for Integrated Development of Water Resources to combat water pollution and promote the sustainable development of Central America's shared water resources by jointly developing watershed management plans (CCAD, 2002). Alexander, (2004) notes some of the achievements and shortcomings of the plan. These are discussed below.

7.2.2.2   Achievements

The Trifinio Plan has facilitated post-conflict dialogue and building of confidence between countries and strengthened cooperation among border communities.

It has played a significant role in increasing regional integration by institutionalising. transboundary cooperation between Guatemala, El Salvador, and Honduras. Each country's vice president is involved in the Plan's formulation and implementation.

At the local level, existing trans-boundary relationships was strengthened through projects that provide services such as health care.

It also strengthened economic ties among formally marginalized areas such as Esquipulas, Ocotepeque, and Metapán.

The Trifinio Plan also encouraged local organisations to develop projects outside its formal structure.

Alexander concludes that the Trifinio Plan is an important regional platform for a larger process of Central American integration. He argues that the Trifinio experience demonstrates the long-term limitations if local stakeholders goal setting.

The Plan Puebla Panamá is a regional initiative that focuses on developing and modernizing infrastructure (such as roads, harbors, airports, and dams could facilitate integration among Mesoamerican countries.

7.2.2.3 Shortcomings:

Despite the existing institutional arrangements in the Lempa region and the participation of civil society, the plan lacked an integrated strategy of stakeholder participation. Local actors have played a minimal role and still do not have a sense of ownership in the development process. This could be a potential cause of conflict between the people and the overseeing authorities. Such a situation does not assure the sustainability of the actions.

Second, the Trifinio Plan produced some unintended consequences and became a vehicle for some actors to promote their own interests. For example, relaxed border controls enabled an increase in some illegal activities like cross - border drug trafficking. Also, reforestation efforts reduced farmlands resulting in limited crop yields and reducing their incomes. These developments could induce the potential for conflict if not attended to.

The Trifinio Plan has not been able to confront the impending of environmental change in the Lempa River Basin. The plan has been able to restore forest cover but it has not directly addressed the issue of water resource management and protection. This is evident from increased levels of pollutants and environmental degradation in the basin.

7.2.2.4   Lessons for Nigeria

The Cental American example discussed in the paper reveals some salient issues that will encourage peaceful co-existence and cross border initiatives in Africa in general and the Nigeria /Chad / Cameroon border in particular.

1) Shared water resources, which require coordinated management, can contribute to cross-boundary cooperation and conflict prevention. Any cross boundary initiative must take cognisance of the socio-economic , cultural and ethnographic background of the people. This calls for the adoption of an integrated approach. This can also result from the identification of synergies from the member state. Riparian states must all endeavor to utilize resources together through bilateral or multi – lateral agreements among member states.

2) The inhabitants of the upper stream such as Cameroon in the case of the Benue River must ensure that water flowing down stream is not polluted for the inhabitants therein. This will help to overcome the case of water pollution in El savador which is licated down stream.

3) The import of stakeholder participation in all cross border initiatives has also been emphasised. Local initiatives such as El Comite Ambiental de Chalatenango set up to sustain local interest is a cue that Nigeria can adopt and benefit from. The Lake Chad basin is of benefit to the local economy of the adjoining states. Such an initiative will not only foster cooperation but contribute to development of the cross border

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4) There is need for close monitoring of the ecological and hydrological regime of a defined border area such as that of the Benue and Chad Basin of Nigeria. This will enable the authourities to adjust to social, political, and economic changes that may occur and this maybe an effective mechanism for conflict prevention.

5) Supervising institutions must be flexible in order to remain useful because in most cases, they are beset with endogenous forces and exogenous pressures. This will assure sustainability of cross border projects.

6) Consequences resulting from established projects such as illegal trafficking and loss of farmlands should be given due attention in order to prevent conflict in a cross border.

7) The Lake Chad Basin Commision which is a regional initiative like the Plan Puebla Panamá should focuses on developing and modernizing infrastructure (such as roads, harbors, airports) to facilitate integration among the adjoining states,

7.2.3   Transborder Cooperation : The Case of the Upper Rhine Valley.

Transborder cooperation in Western Europe has made considerable progress, mainly because of the activities of local groups, such as the Regio Basiliensis, and the support of International organisations, such as the council of Europe. In this regard, the Upper Rhine Valley and other European border regions have succeeded in voicing their interests in a fairly cohesive manner. (Scott 1989) A major hindrance to achieving basic goals of the cooperation in infrastructure integration and harmonisation of environmental policy result from the continued emphasis of national governments on sovereignty and national interests. The inability to overcome conflicts between regional needs and national interests has made the European border regions to resort to new local economic and political initiatives to argue more forcefully for border region demands. In pooling the combined resources of its Swiss, French, and German participants, the Upper Rhine Program of innovation might as well serve as a model for this kind of regional initiative, perhaps setting a precedent for future forms of trans border activity.

7.2.3.1 Lesson for Nigeria

The main lesson here is the recognition of the local border - dwellers to participate in cross border initiatives upper Benue valley that transverses Cameroon into Nigeria. There is also need to underplay emphasis of national governments on sovereignty and national interests and resort to new local economic and political initiatives as in the Swiss, French, and German participants of the Upper Rhine Program of innovation in Europe. .

7.2.4   Metz Metropole Trans border cooperation project

The city of Metz , Capital of Lorraine has always been at the forefront of economic and cultural exchanges in Europe. The city is situated in the *Grande Region* of Saar-Lor-Lux which includes North Rhine Westphalia, Lorraine, Saar, the German –speaking area Belgium and the Great Duchy of Luxembourg. The city presently plays a key role in transborder cooperation through the Quattropole network of the cities of Metz, Luxembourg, Saarbruken and Trier which all form

a unit with real economic and cultural potential. To face future challenges in a united Europe, they have created a network structured around joint projects, notably in communication technologies. An example of this is the Metz business park with provision for about 200 businesses, institutes of higher education and research centers. With its strategic location in the Heart of the European Union, this region serves the interest of its 11 million inhabitants by cooperating on economic, cultural, tourist and social development.

7.2.4.1 Lesson for Nigeria

Since borderlands are marginalised in most cases, efforts should be made through synergies from member states to identify regional specialisation of social, cultural, religious and economic activities within the borderland with a view to promote development and encourage cooperation as the case in the *Grande Region* of Saar-Lor-Lux in Europe

The paper has laid more emphasis on initiatives within European sub regions that will be relevant to model building at the sub regional level such as the Nigeria / Chad / North western Cameroon borderland. Sustaining economic activities along Nigerian borders will contribute to the nations Gross Domestic Product and contribute to her human capital development which is a basic element in attaining sustainable development.

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Cross-border crimes: A conceptual study of co-operation, legal and policy framework between Botswana and South Africa

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Cross-border crimes continue to deepen globally with no exception to African region. Crimes by their nature involving border crossing as essential part of the criminal activity are designated as cross-border crimes. The consequences of offences committed in one country significantly affect another country. The focal countries in southern Africa, Botswana and South Africa, are more affected due to their geographical borders, economies, major trade routes, and convenient travel means facilitating cultural and commercial exchange. These factors play their distinct role in making an undemanding platform for some specific forms of cross-border crimes in the form of arm and drug trafficking, smuggling of goods and vehicles to mention just a few. The paper is a conceptualized study of laws and policies relating to cross-border crimes along with an assessment of cooperation that exists between the nations concerning related issues. In contemporary times, if countries are to adequately develop their capabilities and capture the global problems including crime, greater regional cooperation is an essential response. The quest for the paper is to find more meaningful and durable solutions at regional and international level while sharing their load of the massive universal burden.

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Introduction

Cross-border crime refers to crime that takes place across national boarders. The term describes crimes that are not only international but crimes that by their nature involve boarder crossings as essential part of the criminal activity. It includes crimes taking place in one country, but the consequences significantly affect another country.[1]

 The phenomenal growth in international and cross- border crimes have prompted global community, via organizations like the United Nations (UN), the African Union (AU), the Commonwealth, and the Southern African Development Community (SADC), as well as through bi-lateral diplomatic efforts, to adopt strategies to deal with these various forms of crime. Currently, there exist a large number of international conventions and treaties addressing criminal matters between states through national implementation mechanism, international and regional cooperation. Mutual legal assistance, police co-operation, extradition and creation of institutions that deal with various aspects of cross-border criminal activities, are examples of such international standards well accepted by nations around the world. One of the main challenges in the fight against cross-border crime is to transform the international treaties and convention in to national (domestication of) law. The states also need to reassure their pledge for co-operation while dealing with such crimes.

        The paper is an overview of comparative and theoretical laws and policies relating to cross-border crimes (inter-exchangeable with 'transnational crimes) with

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1 I. Bantekas and S. Nash, *International Criminal Law,* 2nd ed, Gavendish Publishing Limited, 2003, pp 49 – 61

an assessment of existing co-operation between South Africa and Botswana concerning those crimes.

Article 3 of the UN Convention against Transnational Organized Crime, 2000 defines a transnational offence as an offence that cuts across national borders by reason of the places where it is committed, where it is planned, the identities of the perpetrators, or a geographical difference between where it is committed and where the harm is felt.

Such crimes are mainly enforced through existing agreements between countries. The agreements address particular crimes and need for a meticulous set up. International crimes, or crime under international law, on the other hand, affects the international community as a whole, because of its seriousness and because it shocks the conscious of all people. Example of 'core international crimes' are war crimes, genocide, crimes against humanity and aggression.[2] The major distinctions between cross-border crimes and international crimes lay a range of spectrum, the cross-border crimes are limited in scope, application, jurisdiction and subject matter. The nature of offences itself explain the difference between the two. Examples of cross-border crimes are such as trafficking, smuggling of goods and properties, arms trafficking and drugs trafficking, to mention just a few.[3]

Cross-border crimes differ from one country to another depending on level of economy, availability of properties, nature and geographical location of the country and its neighbor/ bordered countries. Experience shows that some countries are more

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2 The Rome Statute of the International Criminal Court, 1998

3 G. Werle, *Principle of International Law*, TMC ,Asser Press, 2005, pp 54-69; I. Bantekas and S. Nash, *International Criminal Law,* 2nd ed, Gavendish Publishing Limited, 2003, pp 49 – 61

affected by smuggling of properties such as vehicles, for instance from South Africa to other SADC countries and vice versa and some are highly affected by drugs trafficking or by both. It is, however, most likely for countries situated in the same geographic locations such as major trade routes and sea ports areas to experience such crimes because of convenient and easy travel means which facilitate transfer of any illegal property or goods.[4]

Legislative and Policy Framework relating to Cross-border Crime

Historical background

The legislative framework relating to cross-border crimes can be traced back to the 1960s when most countries especially in Africa acquired their independence. This lead to each country yearning for the protection of her boarders and strengthen security across countries. In an attempt to assist the independent states, United Nations developed several international instruments to act as guide and provide frame work for the independent states to establish their own laws to address several issues requiring legal attention.

Following the track with international standards and prevailing compelling circumstances, most of the nations developed their own legal frame work as part of their national legal systems as far as such harmonization does not contravene other national statutory provision disrupting its internal peace and national security.

In current times

Contemporarily, according to Fredrik Söderbaum,[5] Southern Africa is clearly in a state of flux, and the region is being shaped by a great variety of dynamics. There

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4 . D. D, Nsereko "When Crime Crossed Boarders: Southern African Perspective" (1997), Vol.41, No. 2, *Journal of Africa Law,* p 192

5 Fredrik Söderbaum, The new regionalism in Southern Africa, UNISA Press (online), July 4 , 2009

are many regionalisms and regionalization, which are all interacting with global, national and sub-national actors and processes. He explains, regionalism in Southern Africa needs to be understood in relation to the transformation of the world and the global economy and to the restructuring (and crisis) of the nation-state. With regard to security regionalism, each country is interdependent with a regional security order and the major security threats are political, social, economic and environmental rather than military in character, and derive more from internal than external factors.

Perhaps the most important and debatable issue on developing co-operation in criminal matters in South Africa and Botswana concerns with the distribution effects of existing and emerging patterns of interdependencies and various policy measures. From international perspective, cross-border crimes certainly have elements of international criminal law. It posses both penal aspects of international law and international aspect of national law; with an underlying principle to punish all crimes and left no crime unpunished. The view added to the importance of having national laws which can punish even cross-border crime as an international aspect of national laws. There are number of international instruments and policies that were adopted to address cross-border crimes, provided that exist there an explicit agreement allowing such cooperation between countries.

United Nations Convention against Transnational Organized Crimes

The cross-border crimes are among the fast growing scenario globally. The United Nations General assembly intervened and adopted a Convention against Transnational Organized Crime, in November 2000 (the Convention) which came into effect in September 2003.[6] The States parties to the Convention agreed to punish a range of offences which constitute organized crime including money laundering, human and drug trafficking, corruption and obstruction to justice. The key points of

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6 Convention against Transnational Organized crimes, United Nations, 2000

the Convention include comprehensive regulations covering mutual extradition of suspects as well as international legal assistance in the prosecution of criminals. Further individual regulations cover such matters as victims and witness protection, police collaboration through exchange of information, training, technical assistance as well as prevention measures.[7] The Convention was supplemented by three Protocols containing additional specific provisions for specific areas of transnational crime; these include:

- The Protocol against Trafficking in Person, Especially Women and Children, 2000[8]

- The Protocol against Smuggling of Migrants, 2000[9]

- The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, 2002[10]

According to the Convention the crime is committed in more than one state. It is executed in one state but a lot of the planning and preparation or direction and control are exercised in another state. It involves an organized crime group that operates in more than one state, substantial affects other states across the borders. The Convention laid down the foundation for international cooperation to combat cross-border crimes. For instance, it calls for police collaboration through exchange of information, training and technical assistance as well as preventive measures.

Ratification of the Convention by SADC Members (both): some concerns and challenges

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7 *Ibid*

8 Signed on 12th December 2000 and entered into force 25 December 2003.

9 Signed on 12th December 2000 and entered into force 28 December 2004.

10 Signed on 16th December 2002 and entered into force on 03rd July 2005.

The Convention has been ratified by most of SADC members including Botswana on 29th August 2002, and South Africa 20th February 2004[11] after the lapse of two and four years respectively since the Convention came into force in 2000. The convention, adhere upon the fundamental principle of respect for the sovereign equality and territorial integrity of all states parties. Understandably, even though no state is permitted to get in the way of others jurisdiction, harmonization of domestic legislation to combat cross-border crimes is of crucial importance. The members to the Convention made their own arrangements to harmonize their national laws, and others went further to initiate the bilateral agreements such as extradition agreements to effectively go with the legal framework and enable reciprocity in punishing crime crossing their boundaries. Furthermore, States not only need to incorporate international standards in their legal framework, but require making sure that they will be extending their support and co-operation to other states. State sovereignty is still the principle organizing feature of the international political and legal system, but the reality is that criminals do not respect state sovereignty. Law enforcement is thus operating in the paradigm of the sovereign nations, while criminals are truly globalised individuals.

Another challenge is where states are ready and do co-operate in criminal matters, various legal (technical) problems can present themselves. To illustrate, the definition of crime might differ from one state to another state. Furthermore, both states have their different criminal procedural laws, making co-operation a bit more complicated. Thereafter, the impact of states different views on human rights, fundamental procedural guarantees i.e. due process of law, fair hearing; can present

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11 Lesotho 24th September 2003, Namibia 16th August 2002, but Swaziland has not ratified.

another set of obstacles in co-operation between themselves. The latter issue is particularly challenging, since human rights are also internationally protected. It can cause strains in their relationship from time to time relating to goals of cooperation to fight crime and the need to respect fundamental human rights of individuals' suspect of crimes, accused or convicted criminals.

Substantive laws relating to cross-border crime in Botswana

While acknowledging the gravity of the cross-border crime and its effects across the country, Botswana attempts to bring into lines its domestic laws with the provisions of the Convention and its additional protocols. The following relevant legislations in the Country assist the authorities across the borders in struggle against the crimes.

- The Proceeds of Serious Crimes Act, 2000[12]

    . The Act deals with problem of money laundering with other related issues.

- Mutual Assistance in Criminal Matters Act,1990[13]

    The Act provides the provision relating to accessibility and obtaining of international assistance in criminal matters.

- Corruption and Economic Crime Act, 1994[14]

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12 Cap 08:03 Act 19 of 1990

13 Cap 08:04 Act 20 of 1990

The Act passed to prevent corruption and confer powers to the Directorate on corruption and economic crimes to investigate cases of corruption and related matters.

- Banking Act, 1995 [15]

The Act provides for the licensing, control and regulation of Banks.

- Extradition Act 1969[16]

The Act deals with extradition of persons convicted or accused of crimes committed within the jurisdiction of other countries.

Notably, most of these legislations were enacted to try crimes committed within the territorial jurisdiction. However, the existing framework address albeit inadequately, the challenges as to whether crimes committed across border shall be left unpunished? Whether country's national laws can be effectively applied to another foreign country? Often resulting in uncertainty between the law enforcement agents is to what shall be the status of national laws as far as the international crimes are concerned. Moreover, it is also important to acknowledge that international laws provides the framework to be applied by the national laws, but the issue that remained unsettled is whether the autonomy provided by the international law be equally applied in national territorial jurisdictions

Substantive Laws relating to cross-border crime in South Africa

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14 Cap 08:05 Act 13 of 1994

15 Cap 46:04 Act 13 of 1995

16 Cap 09:03 Act 56 of 1969 made under Section 4, Part II of the Extradition Act shall apply in case of South Africa

The realization of the Convention is through effective legislations and specific strategies both nationally and transnational. Among the strategies, South Africa uses the coordination method, where associated government departments to combat against crimes are coordinated under the Justice Crime Prevention and Security Cluster. The relevant legislation under South African legal system includes:

- The Prevention of Organized Crime Act, 1998[17]

    The Act introduces measures to combat organized crimes, money laundering, criminal gang activities, and confiscation of criminal assets and assets recovery.

- Financial Intelligence Centre Act, 2001[18]

    The Statute aimed at combating money laundering through reporting suspicious transactions.

- Regulation of Interception of Communications and Provision of Communication Related Information Act, 2002[19].

    The Act regulates and control communication signal and radio frequency so that any illegal communication can be grasped and the procedure for punishment can follow against the criminals. It is an advanced legislation which seems to ensure measures are taken before offence is committed as it controls all illegal communication which in most cases forms the basis of conspiracy and attempt to commit cross-border crimes.

- Firearms Control Act, 2000[20]

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17 Act 121 of 1998

18 Act 38 of 2001

19 Act 70 of 2002

20 Act 60 of 2000

The legislation was enacted to regulate possession, use and trade in firearms.

-   Trafficking in person and smuggling of migrants, these offences are dealt with in accordance to Immigration Act or common law as there is no specific legislation dealing with trafficking in South Africa.

-   Extradition Act, 1962, this was enacted to assist in surrender of criminals conducted crimes in jurisdiction of another.

    Although, many relevant legislations have been enacted and amended so as to cater for cross-border crimes, but the subject remain insufficiently addressed, as most of these legislations fail to meet national jurisdiction concerns. There is, thus, far the relevant platform or framework of legislations at the national level to curb the cross-border crimes directly without assistance of international instruments or rather agreements. Nevertheless, it is important to acknowledge that, South Africa has gone a step further by enacting and including *criminal gang activities* among the offences to be punished under Prevention of Organized Crimes Act 1998. Despite, its wide prevalence, there remained a long silence in such activities, although it is the major contributor of cross-border crimes in the African context and the world at large. While leaders in Southern Africa argue at regional summits about the need to develop closer economic integration amongst SADC countries, organized criminal groups have already succeeded in creating a free-trade zone for illicit commerce in the region.[21] The rapid expansion of legitimate trade and investment from South Africa into other African countries has apparently been accompanied by a parallel growth in illegal activities. These syndicates deal in a range of illicit commodities, but thus far, the stolen and hijacked motor vehicles, have been the most serious threat of all organized criminal activities. Throughout the region, stolen motor vehicles constitute

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[21] Peter Gastrow, A Common Market for criminals? Issue 9 February - May 2002 *available at*
http://www.tradersafrica.com/articles.asp?articleid=%7B05BD115D-A418-4C49-9733-1A9A91850B9B%7D

a currency with which to pay for other illicit goods, such as narcotics or illegal firearms.[22] The expansion of the "common criminal market" in this SADC region has also occurred in the areas of armed robbery, dealing in narcotics, and the smuggling of firearms.

Criminalisation and territorial jurisdiction of national laws

Both countries follow a common law of which the general principles are rooted in Roman Dutch law. The criminal law relating to conspiracy to commit crime and to degree of participation are therefore identical. This means that in both Botswana and South Africa, the statutory law regulating criminal procedure renders any person who conspires with any other person to aid or procure the commission of, or to commit a crime, to be guilty of conspiracy as a distinct offence. A person who instigates commands or hires any other person to commit an offence is also guilty of the offence. However South Africa has gone further to enact legislation specifically dealing with participation in criminal gangs, as discusses before.

The gravity of cross-border crimes is increasing rapidly across the world. This is influencing development in the modern societies and use of informational technologies pave easy way to conspire and plan for any trans-boundary illegal actions. Responsively, it is a necessity for the nations to adopt measure under the international law to manage such crimes. However, such methods can be effective if their national laws reflect the spirits of international standards adopted in this regard. In recent times, South Africa and Botswana have an extended jurisdiction on criminal matters committed else where due to introduction of universality of jurisdiction to enable each country to punish crimes of serious nature. To take an illustration, Botswana has extended its acknowledgement to the increasing incidence of translational crime in scope, intensity and sophistication evidenced

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22 *Ibid*

from its latest police crimes statistics.[23] The most common experienced cross-border crime increased from robbery, motor vehicle theft, drugs and arms trafficking to white colour crime.[24] Similarly, South Africa also noted that, they mainly experience among others, the expansion of cross-border crime from stolen properties across states boarders to cross border illicit drug trafficking, which is prohibited in most of SADC Countries.

The Drugs and Drug Trafficking Act is at the centre of anti-drugs law in South Africa. It pioneered the proscription of money-laundering as a strategy for dealing with drug-trafficking. It was therefore observed that in South Africa the strategy used to control free movement of drugs lead to another problem of money laundering and both of these crimes are equally termed cross-border crimes at international level while incorporated as national crimes in the territorial laws in both South Africa and Botswana.

In terms of territorial jurisdiction, each country enacted its legislations to suite and address matters and crimes occurring within their territory. Section 4 of the Botswana Criminal Procedure and Evidence Act,[25] provide that jurisdiction of courts in Botswana, extends to every place in Botswana, and such jurisdiction is limited to offences committed therein. Even after independence, theses issues did not receive desired attention, rendering it difficult to tackle cross-border crimes with their existed and newly developed national laws. In *State v Jacobs* [26] an accused had beaten a woman and chased her across the border into South Africa where he raped her. The accused was charged with rape (in South Africa), contrary to Botswana Criminal Procedure and Evidence Act. The court held that the charge and conviction of rape could not stand as rape was committed in South Africa and

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[23] Police Declare War On Crime, Road Fatalities, *Memgi News online*,http://www.mmegi.bw/index.php?dir,   June16, 2008 ; Overall Crime and Safety Situation, https://www.osac.gov/ 2009

24 Botswana Country Report on 11th Congress on Crimes Prevention and Criminal Justice

25 Cap 08:02

26 (1974) 2 BLR, 48

as courts of Botswana did not have jurisdiction. The verdict raised serious concerns over territorial jurisdiction under international or trans- boarder crimes. It left enough scope where each country can avoid responsibility over committed crimes across nations. It is therefore encouraged that, as far as criminal law is concerned, each country shall endeavour to put in place relevant national laws provisions addressing cross-border offences instead of relying on international instrument alone. The good example is drawn from South Africa where they enacted the International Cooperation in Criminal Matters Act of 1996,[27] which set mechanisms for requesting evidence from a person who is in foreign State; taking evidence from a local resident for use in foreign State; mutual execution of sentence and compensation orders; mutual requests for enforcement of restraint and confiscation orders and for the transfer of the proceeds of crimes.

There is no doubt that efforts shown by South Africa will pave way and shows the new direction and challenges to other countries such as Botswana to harmonize their criminal legislations in a principle of reciprocity so as to be able to respond to such offences as may occur from time to time and serve as the local remedies to victims of cross-border crimes.

Extra territorial jurisdiction

a.   *Extradition Agreement between Botswana and South Africa*

South Africa and Botswana have defined it as a process through their extradition agreements, signed in 1969, to initiate by an adequately founded formal request. An individual accused or convicted of the commission of a serious offence within the jurisdiction of requesting State is surrendered to competent courts in its territory of this state for trial or punishment.[28] However, subject to jurisdiction of the party's highest court of appeal in criminal matters. Provided that, they are

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27 Act 75 of 1996

28 In this agreement, crimes shall be deemed extradition crimes if they are specified in Article 2 of the Treaty.

punishable, both under laws of requesting party and of the requested party, by imprisonment for maximum of period of at least twelve months or by some more severe penalty. Where a sentence has been imposed after conviction in respect of any such offence, extradition shall be granted irrespective of the nature or period of imposed punishment. However Botswana and South Africa refuse to extradite offences of politics and other national security matters such as military offences resulting from either country

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Extradition may take place on the basis or in the absence of a treaty. For instance in respect of the latter situation, South Africa has designated certain states including the United Kingdom, Namibia and Zimbabwe. Extradition agreements may provide for the mutual enforcement of warrants of arrest. Unless countries have agreement to stipulate types of offences to be punished and such offences form crimes in both countries a cross-border crime can not stand under domestic legislations.

b. *SADC Protocols on Extradition and Mutual Legal Assistance (MLA) in Criminal Matters.*

The Protocol was signed by the SADC Summit of heads of States and the Governments on 3 October 2002. Article 19 of the Protocol recognizes its relationship with treaty or bilateral agreement governing extradition between any two state parties. It further acknowledges the existing agreements as complementary to provisions of its provisions the need to be construed and applied accordingly. In event of any inconsistency, the provisions of this protocol shall prevail. The Protocol serves the due recognition of the international instrument over the national jurisdiction. International criminal law includes international aspect of national laws in necessary circumstances with a basic goal of punishing all crimes and ensures no crime is left unattended.

Co-operation between Botswana and South Africa on Cross-Border Crime: few illustrations

The Convention supports the strengthening of regional and international co-operation in crime prevention, criminal justice and the combating of cross-border crime with intent to facilitate a rapid and secure exchange of information concerning all aspects of organized crime. The document covered several platforms for co-operations such as confiscation of proceeds of crime, extradition, mutual legal assistance, transfer of sentenced persons, joint investigation, special investigative technique, transfer of criminal proceedings, protection of witnesses, assistance to and protection of victims, law enforcement cooperation, exchange of information on organized crime, training and technical assistance, economic development assistance and the prevention of organized crimes across the borders.

However, much need to be done to streamline the mechanisms to meet the current demands. Evidently, laxity in boundaries in the Southern African region, bound to increase movement of people and capital across borders, others looking for employment or for refuge and illegal movement involving criminals, victim and non-victim witnesses to crime and tainted assets. Whatever measures are taken to facilitate cooperation between South Africa and Botswana has to be relevant, simple to be adopted and effective in yielding intended outcome. Notably, these measures are not all statutory as other measures yet to be proclaimed in laws. Sometimes it becomes difficult for local agency to enforce sentence issued by other States.

A significant feature of the cooperation between the countries is the fact that the cooperation established may be invoked before commencement of criminal proceedings. For instance, gathering evidence can start at pre-trial stages during the course of investigation. It may involve both countries where the crime in question has transferred and or occurred, as the evidence could be requested in order to establish a crime.

Confiscation of proceeds of crimes

Relying on principles of reciprocity, Botswana and South Africa have extended adequate cooperation in different areas although the cooperation is not adequate to prevent further cross-border crimes. For instance the area of confiscation of proceeds of crimes is still looked at as a challenge in Africa especially when it comes to tracing and recovering the proceeds of crime that have been moved out of the country where the crime occurred, has been a difficult task.[29] This evidence shows that the gravity of offence is high and rapid compared to the pace of solutions and measures taken. As noted, the stolen properties from South Africa to Botswana and vice versa can normally be discovered but the cooperation is not effective enough to ensure that all discovered properties after a due process can finally be easily returned. Much more desired efforts need to be made to ensure that the proceeds of crime are recovered and returned and the criminals are punished or prosecuted accordingly.

Exchange of information on organized crime

The exchange of information began to take a new face with recent technological break through. South Africa and Botswana through the assistance of Southern Africa Regional Police Chiefs Cooperation (SARPCCO), were able to share information and attack organized crimes. The organization also helps to address the cross-border crime and other safety issues within SADC. The information was exchanged through the established cross boarder operation, where police from both countries cooperate in providing security to the boarders. SARPCCO has also initiated regional co-operation in a number of other areas, such as training and the harmonization of legislation.

Whilst resource constraints and the vast regions involved have meant that these efforts have not yet managed to provide a long-term deterrent to transnational

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29 Francistown residents hit by increasing cross border crime, *Sunday Standard*, 17 August, 2009, Botswana,

criminal activity in the region, individual operations have been highly successful for the short-term. During 2000 for example, SARPCCO introduced a SARPCCO Motor Vehicle Clearance Certificate in order to curb cross-border motor vehicle theft. This certificate had to be produced for every vehicle crossing national borders. For a while, this curbed the activities of criminal groups smuggling vehicles, but within a year loopholes and methods to circumvent the certificates had been found. This case-in-hand underscores the need for flexible and innovative approaches to combating the regional crime problem. Far more thought needs to be given to unorthodox methods of obstructing criminal commerce as conventional police operations aimed at arresting those involved will not increase the risk for organized criminal groups enough to curtail their activities. Ingenuity and persistence will be required, as well as the ability to continuously adapt ideas and strategies as well as to develop new ones. A two-pronged approach is essential: SARPCCO needs to continue to enhance regional co-operation in law enforcement, and efforts aimed at disrupting and undermining the criminal market need to be advanced.[30] However, due to lack of technical expertise particularly in cross-border crime information sharing mechanism, that would be required to establish strong communication mechanisms between these two countries, it makes the exercise of sharing information become dormant and ineffective.

Law enforcement co-operation

Regional co-operation has been a result as well as response to globalization.[31] The effective control of organized crime requires the co-operation of various agencies. In this regard, the initiatives of SARPCCO anticipated article 19 of the Convention geared up to "promote, strengthen and perpetuate co-operation and foster joint strategies for the management of all forms of cross-border and related crimes

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30 Peter Gastrow , A Common Market for criminals? Issue 9 February - May 2002 available at

http://www.tradersafrica.com/articles.asp?articleid=%7B05BD115D-A418-4C49-9733-1A9A91850B9B%7D

31   Regional Cooperation- A joint effort, The Social Development Review, Decemeber, 2003, Vol 7

with regional implications". Co-operation under its auspices has yielded notable success in the spheres of motor vehicle theft and firearms-smuggling. Co-operation is a critical force in the concerned field, including seeking of an avenue for applicability of relevant legislations such as International Cooperation in Criminal Matters Act of South Africa and Regulation of Interception of Communications and Information Act. Such laws can be used as common legislations by both countries to fight against cross-border crime with a view to harmonize domestic legislations. Both the states can overcome their weaknesses and can maximise their resources. Increased national and regional efforts to combat organised crime, is a necessity to thwart the criminal activities in both countries from consolidating and spreading their wings. In absence of that, endeavours to extricate them will become even more complex in upcoming period.

Conclusion and suggestions

The countries are signatory to the Convention subscribed to all types of offences therein defined; including participation in an organized criminal group, laundering of proceeds of crimes, corruption and obstruction of justice, through strategic measurements such as harmonization of national laws and policies. However, the response to cross-border offences needs to be broadly conceived in terms of its nature, its scope of application and the manner of enforcement. The Convention calls for the reform of substantive as well as procedural criminal law. It also seeks to bring about certain administrative changes such as establish of institutions which shall facilitate areas of co- operation among states. The legislative response to these crimes by the two countries can be said to be neither adequate nor sufficient as there are gaps to be filled especially at the National level,

where very little concerning these crimes have been covered. For instance the crimes like trafficking of persons and smuggling of immigrants have no specific legislations in both countries. The changes need to be updated further, to the coverage of the existing criminal laws in South Africa and Botswana, to facilitate extra territorial jurisdiction. The domestication of the Convention and harmonization of laws in concrete manner seem to be better answers to current situation.

On the other hand, it is observed that, the law relating to participation in organised criminal groups appears to be adequate in South Africa, while the same cannot be said in respect of its treatment to the theft of motor vehicles. The law in Botswana on participation in organised criminal groups is clearly inadequate, notwithstanding the content of the common law and the statutes regulating criminal procedure. There is fair amount of variations in legal arena of both countries, in particular criminal laws, to the effect that what is deemed a crime in South Africa is not necessarily a crime in Botswana. It is submitted that the countries need to stretch endeavour to make uniformity in their laws so as to make effective and operational the agreements and treaty they signed mutually.

Cross-border crimes involve many parties, both individuals and institutions with different roles to play in the whole process from preparation, commission to the prosecution of crime accused, victims or witnesses. The issue of witness and victims protection has also revealed disparities in both Botswana and South Africa. The appropriate mechanism for protection of witnesses and victims needs to be well formulated to go hand in hand, ensuring the availability of enough evidence to enable such crimes to stand and consequently be tried in any jurisdiction. The most effective international best practises need to be taken on board in these ventures.

The issue of co-operation needs to be strengthened further between the two countries as of now the most effective cooperation seems to be that of SARPCCO. According to Commissioner Cele,(SARPCCO AGM, September, 2009) the

eradication of trans-national crime needed strong cooperation between states.[32] He further emphasized on the requirement of harmonisation of legislation throughout the Southern African region in order to attain the standard of cooperation.

Conversely, cooperation in other areas such as organised crime syndicates, drugs smuggling, hijacking, illegally immigration and truck robberies seems to gather attention in the meeting lately. At this juncture, it is still difficult to say how the concern will be visible. Obliviously, international co-operation in criminal matters is not a purely legal-technical issue, but also a diplomatic and political one too. On one hand, the law enforcement agencies, can be facilitated by the extradition agreement existing between them. On the other hand, universality of the cross-border crimes can be good solution to cross-border crimes as it creates an avenue for national jurisdiction to deal with grave international offences so that no criminal offence shall be left unpunished.

The position is well affirmed and supported by the Rome Statute of International Criminal Law. It clearly provide that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation. It is true that generally territorial jurisdiction can not be expected to try international crimes, so as other foreign laws to be directly applied in other jurisdiction but with application of universality of these crimes any country can try such offences notwithstanding the territory where offence were committed. The issue of universal jurisdiction was also propounded in the landmark case of **Adolf Eichmann**[33] case, concerned with execution of crime with no particular

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32 *Strong cooperation needed to curb cross border crime,* 14th Annual General Meeting of the Southern African Regional Police Chiefs Cooperation Organisation (SARPCOO), Johannesburg, Compiled by the Government Communication and Information System, 2 Sep 2009, available at http://www.buanews.gov.za/news/09/09090214351001

33 *Adolf Eichmann* – District court of Jerusalem, judgment 12, December 1961 in 36 ILR (1968) p 18

geographic location and yet it was tried and punished under the universal jurisdiction principle.

PAPER TITLE: IN THE HORN OF THE DILEMMA: DEALING WITH INSECURITY IN KENYAN, UGANDAN AND SUDANESE COMMON BORDERS.

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Conference Theme: How Africa is Transforming Border Studies.

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Abstract

The Kenyan, Ugandan and Sudanese common borders are infested by conflicts and A general insecurity situation. These conflicts are perpetuated by cattle rustling, and proliferation of small arms. The terrain provides a haven for rebels, competition over scarce resources by the local communities, governments, and multinational interests. This paper seeks to answer the following crucial questions. What causes the insecurity situation? Why have conflicts been concentrated around the common borders? How and to what extent have individual governments tackled these conflicts? What roles have the Non-Governmental Organizations (NGOs), Community Based Organizations (CBOs), Faith Based Organizations (FBOs), the East African Community (EAC), African Union (AU), United Nations Organization (U.N), and the Donor community played in the conflicts and conflict resolutions? Some general conclusions and recommendations will be made from answers to these questions.

Introduction

> *Spatial boundaries have ambiguous features: they divide and unite, bind the interior and link it with the exterior, are barriers and junctions, walls and doors, organs of defence and attack and so on. Frontier areas (borderlands) can be managed so as to maximise any of these functions. They can be militarized, as bulwarks against neighbours, or be made into areas of peaceful interchange.[1]*

Boundaries are inherently artificial in the sense that they interpose barriers between peoples and remind us in particular, the fact that boundaries are scarcely ever "natural" this means that there is a gap between the intentions of those whose task is to police boundaries and those who live with, subvert, destroy or simply ignore them. The interplay between states security concerns and popular perceptions – among citizens on the freedom of population flow is part of what describes the insecurity in the Kenyan, Ugandan and Sudanese common borders.

The dilemma lies, in the lack of congruence between the marked lines on maps and the reality on frontiers which may not be visible to the naked eye (the Migingo Island and the Kenya – Uganda dispute is such a case at hand). Boundaries therefore demarcate political space, but they are not particularly conspicuous on the ground. While borders corral sets of people, creating citizens or subjects, they ultimately set up a space of interaction rather than a partition. The duality is well captured in the words expressed by Strassoldo, in the quotation with which this introduction began with.[2]

Though African boundaries share many features of boundaries world over, the specific historical process underlying the construction of African boundaries, together with differing cultural attitudes towards territory and state power, mean that they often exhibit distinctive characteristics. Within pre-colonial African societies, there were many different conceptions of boundary which performed different functions in reality.[3] This was apparent in the Horn of Africa as exhibited by the Somali and the Amharic core of Ethiopia. The boundaries which exist here today are those which were drawn

from the European models of ordering political space with the full sanction of international law behind it and upheld to this date. The colonial boundaries (drawn and re-drawn) demarcated competing spheres between Belgian, British, French, German, Portuguese and Spanish colonial powers. These boundaries defined which African communities belonged to which colonial power. Pastoralists and in particular those settle around the Kenyan, Ugandan and Sudanese common borders have caused an insecurity dilemma because of their nomadic habit of shifting, thereby upsetting the nation-state boundaries at the common border.

Sometimes in West Africa the British and the French crafted boundaries depending on which group of ethnic communities they were interested in, i.e. in-terms of fighting skills and hence served as potential military recruits in the colonial army.[4] This was the case East Africa where pastoralists minority dominated colonial and pos—colonial governments.

Borders also served as instruments for enforcement of colonial policy. They served as the points at which commerce could be regulated by levying taxes and at time redirecting trade including prohibitive caravan tolls, construction of transport grid centered on new roads and railways.[5]

Hence colonial administrators sought to impose frontier controls in order to maintain their chosen polices e.g. restricting African access to modern firearms and strong liquor, restricting the volumes and kinds of commodities which could be imported into, or exported from, areas under their jurisdiction. These restrictions included export of precious minerals and cash crops, from one state or region to another.

Moreover, the border also acted as a barrier against the spread of both human and animal diseases as a result of migrant labour from poor regions to mines, plantations and cash crop farms. The border did act as a point at which labour recruiters issued passes, thereby funnelling labour force to areas where it was needed most.[6] The border also served as a screening point for migrants suspected of suffering from disease which could be spread to the neighbouring states.

Pastoralists continuously are believed by states agencies to be vectors of diseases by virtue of their cross-border migration. As stated by Gordon Scott, rinderpest, an animal disease was introduced to the Horn of Africa by the Italians in 1887 and deliberately spread by the Germans at the East African campaign during the cold war I by way of animal migration.[7] Hence, colonial boundaries served as instruments to enforce animal quarantine against the killer disease or simply an area where high alert could be declared. The thinly spread white administrators could not match the lengthy boundaries and

for these reasons, colonial states tended to manage border regions through lightning raids rather than assertion of administrative presence on a day-to-day basis.[8]

Finally, colonial officials were dependent on goodwill of local populations for their daily existence and thus fostered compromises which were not provided for in the colonial officialdom. These compromises were reached upon in East Africa because plans to regulate for example Banyaruanda migrants into Uganda failed because of the pressing need for labour to service cotton industry in Uganda; and excessive application of force was feared could cause migration of colonial subjects into neighbouring states to the embarrassment of the government concerned.

In the post-colonial era, Africans inherited a great deal of colonial boundaries problems. However, The legitimacy of these boundaries was upheld by the 1963 Organization of African Unity (OAU). The nascent sates also inherited colonial instruments of government that included the police, customs and veterinary departments and the armed forces. African rulers or administrations thus nursed the idea of national integration and the need to secure it thus sharing the colonial suspicion of pastoralists and attempting to curb their mobility physically. It is the stated aim of the Kenyan, Ugandan and Sudanese administrations at their common borders interlocked like the cattle horns that the problem of insecurity is perceived to be caused by pastoralists, cattle rustlers, rebels feeding and surviving on pastoral products that has caused enormous insecurity dilemma.

The recurrence of cross-border cattle rustling, proliferation of small arms, human and animal diseases like polio, meningitis and rinderpest and armed militia groups like Sabaot Land Defence Force (SLDF) between Uganda-Kenya border, Lords Resistance Army (LRA) between Uganda and Sudanese border and the porous common borders within and beyond the Eastern African horn have been a focus of inter-governmental security alerts to enforce law and order.[9]

At independence, African governments inherited citizens who had once been colonial subjects and the new rulers imagined that these citizens added up to nations.[10] However, there was an inherited tension as a result of the new ideology of nationalism that demanded that people belong to one nation or another, and the reality of borderlands where cross-border communities merged and clashed in spite of official lines of demarcation for examples a long Kenya - Uganda and border are: Abasamia, Ateso, Sabaot, Turkana/Toposa; Kenya – Ethiopia border the Oromo, Rendile and Borana.[11] This tension has been exposed whenever governments invoke the language of patriotism in an attempt to counteract cattle rustling, proliferation of small arms, pastoralist movements during drought seasons, search of sanctuary or better prospects in life.[12] The East African Horn has also witnessed major forced migration as people escape conflict and environmental crisis; i.e. from Sudan into Ethiopia, Zaire and

Central African Republic; from Ethiopia into Somalia; from Somalia into Kenya and Tanzania: Rwanda into Burundi, Zaire, Uganda and Tanzania.[13] In all these cross-border conflicts and forced migration, refugee status in more than often withheld because the migrants do not conform to international definitions. The UN describes a refugee as a person who crosses border(s) to escape a well-founded fear of persecution. While those avoiding civil war have readily been accorded refugee status, pastoralists avoiding effects of drought do not fall into UN definition.[14]

The Dilemma of Insecurity in the Common Borders

Introduction
The common borders of Kenya, Uganda, Sudan and Ethiopia have a strong presence of pastoral section and dependent on extensive system of nomadic pastoralism. Pastoralists and pastoralism, are the major causes of inter-governmental conflicts in the region. Pastoralism is highly affected in most cases negatively by drought, seasons, diseases which in turn trigger the desire to re-stock for subsistence, payment of dowry and acquisition of small arms to make re-stocking of cattle through rustling more effective. The crisis is more fuelled and fed by the wars in northern Uganda, southern Sudan and Eastern Ethiopia. However, pastoralists think otherwise about the purpose, management and economic value of their livestock.

Implications of cross-border movements on inter-state security.
These movements leads to convergence of many interests on scarce resources that include overgrazing, spread of animal and human disease, proliferation of arms, cattle rustling, cross border grazing, emergence of armed militias, famine and inter-ethnic conflicts.

To the detriments of the common border communities, past and present governments did not initiate corrective measures in terms of special catch-up development strategies were not pursued. The Kenya, Uganda and Sudanese borders lags behind in all spheres of development and is the most marginalized region to date. Problems afflicting this region include poor infrastructure, insecurity, (internal and external), lack of an efficient and reliable market for livestock farmers from the adverse effects of drought and famine, resulting into starvation. Other problems include absolute lack of good schools, health facilities and water for human and animal consumption.[15]

In Kenya, the post-colonial governments were biased in favour of "high potential areas" Kenyatta administration was more concerned with the acquisition of settler farms and development of small-holder coffee, tea and dairy sectors. Evidently huge livestock potential of this common borders did not qualify Kenya's classification of high economic on one side while on the other side is of Uganda and

Sudan were raging, conflicts and arms proliferation.[16] The appalling lack of text books or overcrowding hampers education in the three states common borders trapping the region into a vicious circle of poverty. This region requires urgent special attention and consideration.

The common borders also lacks adequate health services. Health institutions where available lack medicine and qualified personnel and the region needs to live according to the saying that goes by the words "Healthy people make a healthy nation."[17] In some cases Kenyan and Ugandan governments have handled cattle rustling with brutality thus making people to live in perpetual fear on one side and aggression from bandits, ethnic violence and cross-border raids continue unabated on the other side.[18]

In the year 2006 for example about fifteen thousand (15,000) Kenyan herdsmen fled to Uganda fearing a military operation in West Pokot district. They crossed to Eastern Uganda with more than 30,000 herds of cattle in a week. The African Inland Church claimed that, "Failure by the government to protect the community had prompted the herders to acquire firearms to protect themselves from the neighbouring communities e.g. Pians, Matheniko, Rupa or Tepes and the Karamoja sub-ethnic groups."[19]

On the other hand Uganda government through its army used instruments of war against the Turkana who had been driven into its territory by drought and famine in December, 2006. In the same month Uganda People's Defence Forces (UPDF) bombed Turkana settlers in Uganda killing sixty (60) of them. Uganda's defence minister argued that it was in response to the shooting of one of its planes by unidentified persons from Turkana side.[20]

Moreso, in the previous week two members of the Turkana community had been injured inside Kenya border by four Ugandan planes that dropped a bomb on Oropoi village.[21] International Relations analysts have given these two attacks the following three interpretations: First, the attacks by a foreign government of civilians targets of another state is a gross violation of international humanitarian laws thus qualifying as a crime of aggression. Secondly, Kenya government failed to justify its huge defence budget because defenceless civilians were being targeted by foreign states. Thirdly, that both Uganda and Kenya are implying that the East African Federation is about different ends and not the plight of the minorities, indigenous people, women, children, elderly or simply the needy. This attitude of states puts the legitimacy of the future federation in a crisis.

Compounding states terrorism of bombing civilians are natural disaster of hunger and floods. The rise in global food prices and floods in 2008 caused severe food shortages in north east Uganda resulting into 30 deaths. The Karamoja region, an impoverished semi arid area bordering Kenya and Sudan is

notorious for cattle rustling and fuelled by scant resources. Peter Lotodo, member of parliament from Karamoja, Aston Kajara, minister in-charge of Karamoja and Musa Ecweru minister for Disaster Preparedness and the UN World Food Programme argued that global food crisis, combined with the impact of floods in the region to cause more misery and conflicts.[22]

However, in July 2008 pastoralists from the North Rift of Kenya were allowed to access pasture and water for their livestock in Uganda. This happened after Uganda's minister for Basic Education, Peter Lokeris accepted a request from Kenya's labour minister John Munyes that the Turkana pastoralists be allowed to cross into Uganda to graze.[23] However, the Ugandan's cautioned pastoralists to leave their guns in Kenya and that Uganda was committed to recovering guns from armed pastoralists and challenged Kenyan government to emulate them. Representatives of the two governments were flagging off the Tecla Lorupe Peace Race in Moroto Disrict, Eastern Uganda.[24]

Despite the ban on gun possession the Pokot herdsmen occasionally strayed into Uganda to graze their livestock. Cattle is a treasure to pastoralists because they depend on livestock for food and payment of all other expenses. The area does not favour crop farming and some travel 50 and 100 kilometres to look for the scarce resources of pasture and food.[25]

This cross-border activities of pastoralists have led to clashes with the Ugandan armed forces on one hand and the deadly Karamoja cattle rustlers. The Karamoja obtained guns from Moroto Barracks when Idi Amin government was toppled in 1974.[26] Armed Karamojongs have for many years have been blamed for engaging in deadly cattle raids in the region. While the Uganda military was deployed in the region to mop up the weapons held its own Karamojong but the people, the Pokots' in Kenya were spared.

Furthermore, the Karamojongs continue to accuse Kenyan border communities who also have their kin and kits in Uganda of taking advantage of their disarmament to raid them. Grazing fields along the border have, therefore become insecure for both the pastoralists and state authorities.[27] The Uganda soldiers occasionally stray into Kenya to pursue the Pokots and Turkana's as thousands of cattle are threatened with starvation. In June 2008, the Ugandan soldiers were accused of uprooting Kenya – Uganda international boundary beacons. They allegedly destroyed about 10 beacons between Kanyerus and Katikomor, according to residents along the Kenya – Uganda border.[28]

The common borders Horn of Kenya, Uganda and Sudan have not been spared of organized crime by Kenya's Sabaot Land Defence Force (SLDF) militias who took cover in Uganda likewise Uganda

criminals flee to the Kenyan side for cover. This calls for combined strategies and efforts by security forces on both sides of the borders.[29]

On the Sudanese side interwoven conflicts keep the country bleeding. Some diplomats, U.N officials' advocacy groups are beginning to sense that finding a route out of impasse will depend on taking a lager view: looking at Sudan's problems as a diplomatic failure and treating its interwoven conflicts and hindered supplies as one large crisis, rather than a set of problems to be diagnosed and fixed in isolation.

The following four complex, interlocking issues are identified: The multiple fonts of violence, the Darfour conflict between African rebels and other ethnic groups on one side, Arab led Janjaweed militias with ties to the government on the other side. The other issue is the hybrid composition of the peace-keeping force, designed to combine African Union soldiers with an array of traditional U.N. forces and suffers from anaemic numbers and equipment like helicopters, contrary to the huge budget of U\$1.5 billion for the year ending 2009. Jan Eliason, the UN's mediator in Darfour frustrated and resigned in June 2008 says things will not improve until all of the countries with leverage in Sudan coordinate their efforts to put pressure on its government, its allied militia groups and the rebels alike.[30] UN officials blame Security Council member governments and in particular United Stated, France and china for a lack of sustained attention and coordination.[31] The neighbouring Eastern country was not spared either in the conflict.

The Rebel Lords Resistance Army (LRA) and Uganda government have failed to conclude northern Uganda peace talks. Joachim Chissano, the UN special envoy informed the Security Council that the government of southern Sudan, Chad and Democratic Republic of Congo (DRC) are growing impatient with LRA's failure to sign a peace deal in March 2008 as Uganda government seems to have given up as its internal affairs minister Ruhakana Rugunda stated, "As far as we are concerned, peace talks were concluded and we are ready to sign the final peace agreement."[32] From the look of things there is an element of grand standing on either side, which the East African Community should move with speed to secure peace in their three common borders.

The insecurity in the Kenyan, Ugandan and Sudanese common borders continues to be sustained by southern Sudanese cattle rustlers. In September 2008, heavily armed Toposa raided villages near Lokichogio town in Kenya massacred 11 people – six women and five men, among them police reservists – before stealing over 300 herd of cattle.[33] A sustained Turkana attack was again made by bandits from Ethiopia in June 2009 where nine fishermen were kidnapped at the Kenya – Ethiopia border.[34] In August, 2009 Turkana leaders asked the government to probe attack they claim was

backed by Sudan People's Liberation Army (SPLA). Four elders, three other people, including a police officer were killed. The slain Kenyans were herders watering their cattle when Toposa warriors, allegedly backed by the SPLA, struck.[35]

The conflicts and insecurity in the common borders have been fuelled by proliferation of small arms as communities compete over pasture, water and endless desire to restock livestock.[36] Fingers have been pointed at the governments of the three countries for turning a blind eye as communities lose their lives.

Ms. Claire McEvoy of Sudan Human Security Baseline Assessment says inter-border conflicts among communities have taken a turn for the worse due to accessibility of arms. Civil wars in Uganda, Sudan and Ethiopia altered the dynamics of cattle raiding among the pastoralist communities. A gun is worth ten cows and due to insecurity, the need to protect life and property every family head is obliged to own a gun.[37] Cattle rustling has therefore become an organized crime and Kenya's minister for Internal Security concurs with this argument. Cattle rustlers have become more sophisticated and raid homes using guns. Kenyan politicians meeting in Naivasha, asked the executive to seek ways of fighting insecurity in northern Kenya urged the government to fast track mopping up of illegal firearms to stem insecurity.[38] This idea was picked up at the regional level.

The regional plan to confine cattle rustling was launched in Nairobi and if the project dubbed Mifugo project succeeds focus on fighting the menace in Ethiopia, Kenya, Sudan, Tanzania and Uganda will bring to an end rampant cattle rustling.

Cattle rustling is a crime that has implications on the security, peace and the well-being of the pastoral communities and if left untamed, it can mutate into a complex security threat.[39] Cattle rustling has had negative impact among pastoral communities as divisions, widespread insecurity and stunted population growth due to killings. It has also led to transformed gender roles, particularly of women and worse leads to the negative stereotyping of the pastoral communities and hence marginalization.[40]

In the second summit of Heads of State and Government 2006 the pact on security, stability and development for the Great Lakes Region was signed. The pact provided the much needed regional framework in addressing the endemic conflicts and persistent insecurity which have for a long time contributed to human suffering, economic stagnation and poverty in the region.[41] The pact contains provisions for amendments, revision and withdrawal. Apart from the regional arrangements, European powers and in particular the French have been backing peace initiatives in the region. Apart from geo-strategic interests in Africa, Paris along with Britain and the USA have been keen on providing

training, transport, and equipment for peace keeping initiatives coordinated by regional organizations. Meanwhile, East Africa's first United Nations Peace Support Operations (PSO) training centre was launched in Kenya in June 2001.[42] All these regional and international initiatives give a pointer as a way forward from the common borders conflicts.

Way forward and recommendations

The conflicts surrounding the common borders of Kenya, Uganda and Sudan must be resolved jointly by these three states. The conflicts must be seen from a bigger picture as common to the whole region and requiring a common approach. Kenya which is more stable in the region must act as a reconciler by pursuing long term commitment consistency, and patience rather than seeking credibility, showing off diplomatic skills or simply practicing impartiality in peace building and in particular in the Sudan.[43] The national interests which include security and national development must be sustained by these nation-states by way of restrain.[44]

These conflicts caused and fuelled by cattle rustling, formation of armed militias, drought & famine, proliferation of small arms and general underdevelopment must be solved by way of harnessing potential transboundary opportunities that are of ecological, social, economic, political and institutional by nature. These opportunities would include: Maintaining linkages in ecological landscapes that cross borders to maintain ecological processes and functions (e.g. animal migration and grazing grounds), re-establishing inter-ethnic transboundary free migration between the Kenyan Sabaot and Ugandan Sebei, Kenyan Turkana and Sudanese Toposa. The three states can ensure the appropriate use of marginal land in border areas to promote economic development and prevent environmental degradation, reduce transboundary security threats by promoting sustainable and collaborative control or resources, exploitation and trade, livestock and range management for transhumant pastoralists.[45]

On the social and cultural fronts the three governments should facilitate: Formal contact and cooperation between divided communities, renewing cultural ties severed by the states boundaries, legitimize cross-border movement, economically empower marginalized groups located in the border areas, strengthening of community property rights through increased natural resource value and income generating activities.[46]

The East African states should also explore the underused tourism potential for economic development of the region e.g. making Lokichogio an international airport to increase a variety of attractions and multicountry destinations. Others would include working across borders e.g. sharing

human, material and financial resources for control of illegal activities, research, monitoring and evaluation.[47]

Political opportunities would come in handy by laying a foundation for deeper cooperation between neighbouring communities, which can help reduce tensions and conflicts, improve security for communities in border areas, and rebuild divided communities.[48] Institutional support would come in to enhance the management of cross border resources more effectively e.g. through sharing of information and experiences and training, enhance the ability of responding more rapidly to changing situations e.g. through joint border monitoring.[49]

Conclusion

There has always been tension between fixed, durable and inflexible requirements of national boundaries and the unstable, transient and flexible requirements of people. Borderlands are sites and symbols of sovereignty which inscribe the territorial limits of states, common and in no danger of disappearing.

African borderlands are fascinating objects of study because of the insecurity dilemmas outlined above. The boundaries are clearly represented on maps and carry legitimacy of international law, even if particular contours are disputed. These borders are policed only lightly because of perceived lack of economic value to the central government, their length and inaccessibility of the terrain and the reality of official corruption. African boundaries have not represented physical barriers but served as conduits for the circulation of people, animals, goods and services. They represent grounds of opportunity and risks for trade, service industry, employment and nerve centres of infectious disease transmission e.g. HIV/Aids between Kenya and Uganda borders.

However, borderlands communities enjoy the benefits of both sides e.g. medical services, schools, worship places though poorly equipped. On the negative side, borders provide safe havens for tax evaders, criminals, smugglers of cash crops, petroleum and a wide range of consumer goods. As much as creating opportunities, boundaries have been free for all and subject to any abuse.

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Sovereignty, Territory, and Authority:
Boundary Maintenance in Contemporary Africa

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Introduction

Why have Africa's boundaries largely survived the end of the Cold War intact? In the aftermath the Cold War, a number of influential observers foresaw far-reaching changes with the potential to undermine Africa's boundary maintenance regime. For many observers, the end of superpower patronage, increased political and economic conditionality, and ambiguity regarding the relationship between norms of self-determination and territorial sovereignty as the Soviet Union and Yugoslavia collapsed all created pressures that would undermine border stability on the continent. With recharged separatist threats from the periphery, waning state power at the centre, and western states no longer willing to respect quasi-statehood or enforce existing boundaries without reservation, the resilience of Africa's boundaries over the past two decades is a curious puzzle. Indeed since 1957, not a single significant boundary change has occurred without the consent of concerned states, a remarkable event in world history – even in an epoch defined by respect for state territoriality since 1945 (Zacher 2001; Holsti 2004). The persistence of African states within

existing borders has been especially puzzling in light of the glaring empirical deficiencies of so many states on the continent. With few exceptions, African states have failed to support economic development, ensure the basic welfare of their citizens, or provide a modicum of security. Too often, in fact, African states have done precisely the opposite as parasitic regimes plunder national assets while foregoing the administration of large tracts of their territories, deprive their populations through corrupt rule, and unleash armies and police that prey on the people they ostensibly protect. To appearances, Africa is a region with explosive potential for territorial conquest and secession.

Yet, with the exception of Eritrea's negotiated exit from Ethiopia in 1993, no international borders have been redrawn, while only in Somalia has a state collapsed without the relatively quick reemergence of a viable claimant to sovereignty. This paper asks why. Equal parts historical inquiry, contemporary description, and perhaps unwisely, forecasting, it attempts to make sense of a moment of a critical juncture that opened up in the African state system after 1989, asking how real the alternatives were, why they closed, what durable changes did in fact occur, and what their implications are for the future of African borders.[1] Instead of a rupture after the Cold War, the past two decades have witnessed incremental but significant changes in the practices and understandings linking sovereignty, territory and authority in the African state system. These changes fall far short of what many foresaw in the early 1990s. The opening for radical alternatives to the postcolonial African state system

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[1] Frederick Cooper poses a similar set of questions, only more eloquently: "If we can, from our present day vantage point, put ourselves in the position of different historical actors, in 1958 – or 1945, 1966, or 1994 – we see moments of divergent possibilities, or different configurations of power, that open up and shut down. Just how wide were those possibilities? And how much did actions taken at any one of many conjunctures narrow trajectories and alternatives? In thinking about such questions, we can never distance ourselves entirely from our present, but we can imperfectly look at different people in their different presents imagining their futures" (2008: 169).

and a significant reshuffling of territorial sovereignty that many discerned in the early 1990s has been closed.

Nonetheless, recent changes have altered border politics on the continent. A constellation of three changes has been particularly noteworthy. First, the advent of a more multipolar order with China's increased influence in Africa has been a force supporting regime consolidation and the territorial status quo. Beijing's presence has not substituted for Moscow's during the Cold War, but it has increased the autonomy of African rulers while blunting the effects of western conditionality. Second, the war on terror and the attendant emphasis on effective administration of territory in western security strategies over the past decade have bolstered the fortunes of states hostile to political Islam that are at least minimally capable of administering their territories. But it has also created an opening for effective separatist entities such as Somaliland and Southern Sudan, undermining the sovereignty of the states they challenge and contributing the legitimacy of their claims to self-determination. Finally, the rise of liberal rights-based norms and an interventionist regime of conflict management have had the most detrimental effects on the respect for the territorial sovereignty of African states.

On balance, rather than causing boundaries to be redrawn, these transformations have promoted a redistribution of sovereign authority within African states that redefines their external and internal boundaries. This has gone as far as accepting the legitimate authority of sub-state entities – a sort of semi-sovereign juridical status in which unrecognized polities enjoy rights previously enjoyed only by sovereign states. More often than not, however, these same changes have rendered wholesale boundary revisionism on the continent less urgent and less likely by decreasing the returns to the possession of international recognition. The apparent stability of the continent's international boundaries

masks important structural changes in relations between African states and the societies they govern, and between African states and international society.

The Boundary Maintenance Regime in Postcolonial Africa

Understanding the balance of change and continuity in the way that sovereignty, territory and authority fit together in contemporary Africa requires revisiting the boundary maintenance regime that emerged through decolonization. The relatively rapid demise of European colonialism left Africa with 80 000 km of contested boundaries, of which only 26 per cent correspond to geographical features, the remainder having been determined by astronomical and mathematical lines (Engelbert 2000: 88; Herbst 2000). Some 103 interstate boundary disputes and 16 separatist conflicts have ensued (Engelbert and Hummel 2005). Despite the frailty of so many postcolonial states in Africa and the artificiality of their inherited borders, they did not fall apart after independence, even as the economic crisis of the 1970s undercut sometimes impressive strides in nation- and state-building. Explanations for this impressive record have relied heavily on the stabilizing effects of a particular form of juridical sovereignty around which African states and great powers alike cooperated in international society.

International Norms and Juridical Statehood

International recognition at independence conferred important benefits on new African sovereigns. Entities that otherwise lacked the prerequisites of empirical statehood, or positive sovereignty, often owed their survival to the rights and privileges that came with recognition. The right to self-determination as non-interference in domestic affairs was, in

Robert Jackson's influential rendering, the foundation for a "negative sovereignty" that compensated for any deficiencies in "positive sovereignty," or the actual capacity for effective government (1987, 1990). Juridical statehood is "the international institution by which Africa and some other extremely underdeveloped parts of the world were brought in to the international community on a basis of equal sovereignty rather than some kind of associate statehood. It was invented because it was, arguably, the only way these places could acquire constitutional independence in a short period of time" (1987: 529). But the norms on which juridical statehood rested did more than simply allow African states membership in an international society from many would have been denied access under earlier historical criteria. With sovereignty came privileged access to resources, not least foreign aid and opportunities for profitable "arbitrage" over economic exchanges across their borders, all of which proved useful in the consolidation of central state power and regime security (Clapham 1996).

The peculiar form that the sovereignty regime assumed in Africa was the regional expression of a global consensus that delegitimated violent changes to boundaries and non-interference in internal matters. As a peremptory norm of the post-1945 era, the principle of self-determination was reformulated to make rapid decolonization compatible with international order and stable boundaries. Existing territorial jurisdictions rather than nationality would determine the people – the principle of *uti possidetis* (Pomerance 1982). The two references to self-determination in the UN Charter envision the principle in the broader context of developing "friendly relations among nations" and the "equal rights" of peoples. In navigating the challenges of decolonization, states and international organizations dodged the problematic task of identifying "peoples" by defining them in terms of colonial units, eschewing any right to unilateral secession outside the colonial context. In 1960, the

landmark UN General Assembly Declaration on the Granting of Independence to Colonial Countries and Peoples (XV) restricted the right of self-determination to a one-time act determining international status, namely the establishment of a sovereign state (or occasionally, integration or association with existing states), after which all rights and prerogatives inherent in sovereign statehood were to be transferred in full. Self-determination was to take place whatever the peoples' preparedness for independence and alternative sovereignty arrangements were foreclosed. Most importantly, resolution 1514 stated, "Any attempt aimed at partial or total disruption of the national unity and territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations." The principle of self-determination had become a positive "right of the majority within an accepted political unit to exercise power" (Higgins 1963: 104). The primary criterion for identifying the accepted political units would be the non-European inhabitants of former colonies – or what has variously been termed the "pigmentation principle" or the formula of "brown skin, salt water" (Mazrui 1967).

The founding of the OAU in 1963 strengthened this normative consensus in international society and created a regional "post-imperial ordering device" that effectively forestalled any forcible challenge to inherited colonial jurisdictions (Lyon 1973: 47). Having witnessed the bloody partition of India, and aware of the substantial uncertainty and violence that any boundary revision would entail, the founding states of the OAU endorsed existing boundaries (Herbst 2000: 104). Article III, paragraph 3 of the OAU Charter called for "respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence." The next year, the OAU Summit in Cairo issued a formal Declaration on Border Disputes (1964). Calling borders "a tangible reality," the resolution committed members to "respect the frontiers existing on their achievement of national

independence," endorsing the principle of *uti possidetis* so as to avoid conflict over post-colonial borders.

There was a remarkable degree of cooperation around these norms amongst African states. The sources of this cooperation have been located in the mutual vulnerability of African rulers.[2] This vulnerability, both the secessionist threats from inside and territorial conquest from outside, made cooperation around boundary maintenance a rational strategy for weak African states (Herbst 1989) and international law became the means through which sovereignty could be upheld and borders kept intact (Jackson 1990). It is possible to overemphasize the centrality of cooperation around boundary maintenance in maintaining the status quo distribution of territorial sovereignty. African ruler's record of mutual cooperation around existing borders in the interests of regime survival is at odds with their tenacious support of armed proxies that sought to overthrow rivals.[3] Even separatist insurgencies could find support, even if the price they paid for it was to mute their separatist ambitions in their public diplomacy. But collectively, African rulers did evidence a remarkable degree of cooperation around these core norms. In the eleven African territorial wars between 1963-2001, the OAU was a major influence in securing troop withdrawals (Zacher 2001: 231). And while they may have lent support to separatists in neighboring states, they stopped short of recognizing claims to self-determination outside the colonial context. The rare example of the five African states recognizing Biafra's secession during the Nigerian civil war (1967-70) – Gabon, Haiti, Côte d'Ivoire, Tanzania and Zambia – were exceptions that reinforced the rule and there arguments were roundly rejected by the OAU

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[2] On mutual vulnerability, see Zartman 1966; Touval 1972; Buchheit 1978; Jackson and Rosberg 1982; Herbst 1989, 2000; Jackson 1990; Foltz 1991; and Saideman 2002.
[3] Indeed, the core principles of the OAU Charter's Article II, which comprise the foundation of the negative sovereignty regime, include a prohibition on subversion against member states.

in a resolution reaffirming Nigeria's territorial integrity and condemning secession elsewhere (OAU 1967).

Superpower Patronage

The set of norms, rules and principles that comprised Africa's boundary maintenance regime relied on the tacit cooperation of the superpowers. In a rare example of Cold War cooperation in the interests of international order, the superpowers sought stability in existing boundaries. Meanwhile their competition for client states provided African leaders with access to resources while the continent's relatively marginal geo-strategic position in the Cold War actually increased their bargaining leverage by allowing leaders to switch allegiances without fearing external intervention. "Put simply, African states were accorded an international freedom of action which largely reflected the fact that they did not matter that much" (Clapham 1996: 42). African leaders could therefore use international alignments to balance against internal threats (David 1991).

The implicit rules of Cold War competition included abjuring support to either client states that embarked on irredentist adventures or overtly secessionist proxies. "Not once did either superpower or any other outside power, offer significant support to an African effort to overturn an existing boundary" (Herbst 2000: 108). This exaggerates the point somewhat. Tacit US support for the Moroccan invasion of Western Sahara is a rare exception. Elsewhere, material support knowingly made its way to separatist forces. The French government supplied arms to the Biafran government and Mengistu transferred Soviet arms to the Sudan People's Liberation Army (SPLA) with Moscow's knowledge, for example. And before the Soviets supported Ethiopia, they supplied both Somali irredentists and Eritrean separatists contesting Ethiopia's boundaries, while the Soviet Union and German

Democratic Republic provided support to Libya in its efforts to annex the Aozou Strip. But the overwhelming balance of superpower support was directed at maintaining the territorial status quo. In the form of financial and military assistance, superpower support allowed weak state governments to face down separatist threats internally. As the Sudanese government reportedly warned southern politicians in the early 1980s, for instance, an "air bridge" from America ensured a steady supply of arms that would be used against them if they resisted reforms that were dismantling southern autonomy (Alier 1990: 249).[4] When external military intervention did take place, it was almost invariably in support of sitting rulers and existing borders. Most famously, during the Congo crisis (1960-64), the United Nations intervened decisively against secessionist forces in Katanga and contributed to the diplomatic isolation and reversal of the 1961 secession of the Great Mining State of South Kasai. After the Biafran secession (1967-1970), both Britain and the Soviet Union cooperated with the Nigerian federal forces. Similarly, western military support for Chad in its wars against Libyan efforts to annex the Aozou Strip, and Soviet and Cuban support for Ethiopia's war against Somalia in the Ogaden, were critical in thwarting forcible territorial revision.

Much Ado About Nothing?

Finally, others have traced Africa's border stability back to the remarkable degree of quiescence amongst those who might otherwise be expected to challenge Africa's boundaries, both internally and externally. As Jeffrey Herbst argues, most forcefully, the

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[4] Nimeiri's importance as a US ally against Soviet-supported Libya and Ethiopia in the region meant that US support continued even after he reneged on southern autonomy. "He gauged – correctly, as it turned out – that the American government's ideological commitment to opposing Russia's [*sic*] allies in Libya and Ethiopia meant that it would continue to supply him with weapons against this external threat, no matter what he did with them in his own country" (Johnson 2003: 58).

combination of low population density, abundant fertile land, and the inability of African states to project power over large distances has led to a historically low rate of wars of territorial conquest and allowed rulers to forego the need to extend administration into hinterlands to protect them against external predation (2000). Internally, the quiescence of victims of even the weakest predatory states has led to fewer challenges than expected. Given patterns in other world regions, Africa should have something like five times the rate of secessionist conflict (Englebert 2009). After Africa's early secessionist bids failed, "the period from the end of the Biafra's secession to 1990 was characterized by the virtual absence of secessionism from Africa" (Englebert and Hummel 2005: 422; Englebert 2008).

The relative absence of challenges to Africa's borders reflected a number of factors. The balance of power in state-society relations overwhelmingly favoured the central state. African militaries were relatively weak at independence, but nevertheless controlled almost all the guns on their territory (Herbst 2000: 107). Patterns of external support meant that they always had far better access to international arms flows than their challengers.

Perhaps more important, however, were the disincentives that juridical statehood created for potential challenges, both externally and internally Externally, the international normative foundations of juridical statehood meant that territorial conquest had low prospective returns. Boundary changes realized by force were unlikely to be recognized and outside states were expected to bring considerable diplomatic pressure to bear in reversing territorial conquest. Thus, only rarely did interstate wars challenge the existence or territorial definition of existing states. Juridical statehood thereby disconnected the imperatives of regime survival from the need to expand state power, becoming the paradoxical source of state survival and state weakness. "To say that boundaries have been a barrier to state consolidation in Africa is a non sequiter. The states, to a certain extent, are their boundaries"

(Herbst 2000: 253). Whereas the decades of fighting and preparing for international wars and subduing internal rivals left states the surviving European states with the infrastructural underpinnings of strong statehood, the state system in postcolonial Africa cushioned sovereigns from costly and potentially destabilizing investments in national development (Tilly 1992; Herbst 2000). Internally, the prohibition on secession in international society had similarly dissuasive effects. Instead of challenging the center in separatist wars, the sorts of peripheral and nonstate actors that might otherwise have attempted to secede frequently set aside their claims and "compete instead for access to the sovereign state, irrespective of the latter's history of violence toward them" (Englebert 2009: 7). They do so because access to internationally recognized sovereignty compels challengers to become supplicants of whoever controls the title to juridical sovereignty. As William Reno argues, foreign firms that prefer to transact with sovereign partners that can offer more convincing contracts help increase the premium on sovereignty (1998: 222). Moreover, sovereignty can be divided out amongst various agents in ways that transform international legal sovereignty into the right to legal command on the ground. With the right to command come opportunities to extort and accumulate, as Pierre Englebert observes. "Everyone associated with a parcel of juridical sovereignty has the opportunity to use it in order to extract resources from others" (2009: 6). These logics lead the would-be secessionist to come to some sort of arrangement with weak, beleaguered, but internationally recognized rulers in national capitals – or, at least, transform a secessionist bid unlikely to attain international recognition into an attempt to capture the national capital and assume the mantle of sovereignty within existing borders.

Yet these explanations do not take us very far in explaining the ability of African borders to withstand those very real secessionist challenges, irredentist adventures, and incipient statebuilding enterprises in the midst of collapsed states that did occur. Even if

Africa has a lower than predicted rate of separatism, there have nonetheless been some sixteen secessionist conflicts, a handful of serious interstate wars over territory and tens of border disputes, and a number of states-within-states that have failed to attract international recognition.

A boundary maintenance regime was responsible for safeguarding the territorial status quo. Grounded in cooperation between great power and African governments around the norms of sovereignty, it invested legitimate authority exclusively in sovereign states within their recognized international boundaries. This sovereignty regime "served the dual functions of protecting the territoriality (and in some degree the autonomy) of the state itself, and of providing international backing for the entrenchment of state control (and the power of the regime currently in office) over the rest of the domestic population" (Clapham 1999: 529).

These outcomes, first the unequivocal granting of juridical sovereignty to nominally equal states rather than exploring alternative governance arrangements and border revisions, and second the forms of territorial sovereignty in centralized states that followed, were by no means predetermined. Leaders in France's African colonies – Senghor, Dia, and others – advocated a federal or confederal vision of "layered sovereignty at the territorial, federal and French Community levels" that would have spread "authority and alternative loci of power at each level that might prove a check against concentration at any one of them" (Cooper 2008: 191). In anglophone east and central Africa, various schemes for federation were mooted that would have redistributed sovereign authority across new states (Rothchild 1966). More radically, African nationalists had contemplated wholesale boundary revision, perhaps as part of Nkrumah's vision of a "United States of Africa". The 1958 Resolution of the All African People's Congress (AAPC) declared, "artificial barriers and frontiers drawn

by Imperialists to divide African peoples operate to the detriment of Africans and should therefore be abolished," specifically endorsing, fore example, the Somali desire for union of Somali territories (Healy 1981: 18). Those committed to a Pan-African program called for the creation of a continental state and the retention of colonial institutions established for regional cooperation as the basis for integration. By 1960, however, these ideas found waning support as conservative African rulers pushed for the maintenance of colonial boundaries. The 1961 AAPC Resolution on Neo-colonialism denounced "Balkanization as a deliberate political fragmentation of states by creation of artificial entities, such as, for example, the case of Katanga, Mauritania, Buganda, etc" (cited in Healy 1981: 21). The new pragmatism of ambitious African leaders, reinforced by outside states keen to avoid disorder on a continent that appeared primed to unravel, "banished African models of political authority from the sovereign imaginary" (Grovogui 2008: 331). A sort of "frontier fetishism" rendered changes to exiting borders taboo, unthinkable even (Lewis 1984: 74). The OAU instead became a club of leaders mindful of their own territorial bases and jealously guarding their hard-won territorial sovereignty. Plans to redraw borders or redistribute authority upwards towards confederations or post-imperial arrangements linking former colonies with one another and the ex-imperial power were quickly abandoned.

A similar process of foreclosing alternatives happened within states as existing autonomies were undermined and discussion of alternatives to centralized, unitary states ended. Frequently, violent conflict ensued. The often messy administrative arrangements of colonial and newly independent states were flattened through the efforts of centralizing governments seeking to impose administrative uniformity and undercut potential institutions of resistance to statebuilding efforts, especially where these colonial arrangements did correspond to real social cleavages - even if they were ones the colonial state itself had

engendered. The institutional arrangements through which Eritrea was federated with Ethiopia lasted just over a decade before being abrogated by the Ethiopian Emperor, eliciting little reaction from the outside states and organizations that had negotiated the federation. In Sudan, southern hopes for a federal arrangement were dashed. Under military rule, Nigerian federalism was undermined by the steady accumulation of powers by the centre at the expense of states and localities, resulting in the "hypercentralized" shell of a federal state (Suberi 2001). In all these cases, central governments responded to demands for autonomy and independence with a heavy hand. Secure in the knowledge that international society vested legitimate authority exclusively in the internationally recognized national capital, governments could defend postcolonial territoriality with significant bloodletting and still count on the support of outside states.

In the wake of Biafra, UN Secretary-General U Thant expressed the organization's unequivocal attitude towards secession: "As an international organization, the United Nations has never accepted and does not accept and I do not believe it will ever accept the principle of secession of part of its member state" (cited in Kirgis 1994: 3). As secessions in Katanga and Biafra were reversed, other groups were deterred from pursuing secession. The state system was largely isolated from the consequences of ongoing separatist conflicts. Writing in 1983, Crawford Young offered this pessimistic prediction for the fortunes of African separatist movements in paraphrasing the OAU Charter: "Whatever else may lie ahead, 'respect for the sovereignty and territorial integrity of each [African] state' appears one of the safer political forecasts" (Young 1982: 229). Similarly, Robert Jackson observed, "The resort to international law by African sovereigns to preserve ex-colonial boundaries has been remarkably successful. Although nearly all territorial populations are deeply divided along ethnic lines, not one single state jurisdiction has disintegrated. Rebels can gain de facto

control of territories of course, but this is insufficient to capture sovereignty" (1990: 153).
Along similar lines, Jeffrey Herbst (1989) predicted that African sovereigns would likely
continue to cooperate in preserving existing frontiers. And James Mayall, surveying the
limited achievements of Somali irredentist movements, made the forecast that "the chances
of the Eritreans establishing their right to an independent existence seems hardly better than
those of the Somalis" (1983: 89).

Challenges to Africa's Boundaries in the Post-Cold War

Imagine the shock that greeted observers after 1989 as the equilibrium of border stability
was punctuated by political upheaval on the continent and beyond. Many of the trends that
characterized the shift preceded the collapse of the Soviet Union. The economic
interventions of structural adjustment in the 1980s had already begun to erode the regime of
negative sovereignty that sustained juridical statehood, and in turn, insulated African rulers
from internal threats. External aid also began to drop in the late 1980s as superpower
competition on the continent wound down. But in the years shortly after 1989, these trends
accelerated and a concatenation of events appeared to foreshadow broader changes. Groups
with separatist agendas took advantage of weakened and collapsed statehood to pursue aims
of autonomy and independence, moving towards seceding or otherwise withdrawing from
the center with varying degrees of success. Outside states reversed their stated positions on
the finality of Ethiopia's annexation of Eritrea and endorsed its right to self-determination in
1991. The collapse of the Somali state after the fall of Siad Barre was greeted by a declaration
of independence in the former British Somaliland and the emergence of other states-within-
states, a process mirrored in parts of West and Central Africa, and in the Comoros, where

the island of Anjouan broke away in 1997. Significant progress towards democratization across the continent seemed poised to unleash demands for self-determination from disaffected ethnic groups long alienated from central state power as autonomies were created or reinvigorated by liberalization after decades of neglect. In Ethiopia, for example, the success of the ethnically-based insurgencies was followed by a constitution that instituted the same ethnically-based federalism, complete with a constitutional right to secede, that proved so destabilizing in the Soviet Union.[5] The final pieces of the decolonization puzzle came together with the independence of Namibia, a referendum in Western Sahara scheduled for 1992, and the transition from apartheid in South Africa. Though movements of self-determination in all these cases drew international legitimacy from both their recourse to norms of self-determination and the congruence of their demands with internationally recognized borders, their success represented how the end of the Cold War had boosted the status and fortunes of opposition movements and insurgencies (Clapham 1996, 1999). African states engaged in a series of wars that seriously compromised the sovereignty and territorial integrity of the states on which they were fought. Even though territorial claims were not at stake in wars in the Democratic Republic of the Congo or the Mano River countries, foreign armies essentially began to occupy and exploit the territory of neighbouring states in ways that appeared to be *de facto* territorial conquests.

Many observers saw the main pillars of Africa's boundary maintenance regime collapsing.[6] Jeffrey Herbst, most prominently, foresaw a destabilized post-Cold War Africa whose political map was likely to undergo significant transformation. "After nearly a century of relatively unchanged boundaries in Africa, the stability of the current state system is now

[5] On the inherently destabilizing effect of ethnic federalism in socialist federations, see Suny 1993; Gorenburg 2003; Bunce 2004; Roeder 2008

[6] See, for example, Herbst 1992, 1996/97, 2000; Chege 1992; Jackson 2000; Matua 2000; Spears 2003; Krasner 2004; Fearon and Laitin 2004.

greatly threatened by powerful forces that have emerged in the wake of the Cold War. Political and economic liberalization may be the critical factors that finally bring about fundamental challenges to the African state system" (1992: 28). Indeed, these changes were driven by both the decreased salience of the negative sovereignty regime and the decline of superpower patronage. Outside states and agencies began placing pressuring African rulers over democratization, human rights, conflict management through powersharing, and economic liberalization. Donors used conditionality, and along with NGOs, increasingly began circumventing the central state in favor of non-state and sub-state actors. Similarly, the end of superpower patronage rendered African rulers more vulnerable. Violent internal challengers could no longer be beaten back by a steady supply of arms. The end of the Cold War also left African rulers more vulnerable to western pressure, not least to abide by broadly liberal political and economic norms, by foreclosing the option of defecting to the Soviet bloc. Patronage networks that pacified potential opposition movements became unsustainable given decreased aid flows and structural adjustments that emptied state treasuries.

But even as the consensus that helped freeze Africa's borders in the postcolonial period came under challenge from discontented separatist challengers and more powerful, territorially revisionist neighbours, the last two decades haven't seen a rapid unraveling of continental boundaries. Why not? In other words, if the conditions that sustained the border maintenance regime in the three decades after independence have been undermined, what replaced them? Has the African state system found a new border maintaining equilibrium, or is it still in flux, with the prospect for significant border revisions?

Redefining Rather Than Redrawing

Under sustained pressure from separatist challengers and seeing rapid contractions in state capacity, the boundaries of existing African states have more often been redefined rather than redrawn, a process with domestic and international implications. These redefinitions have significantly redistributed authority within states through power-sharing and forms of decentralization. Meanwhile, polities that lack juridical sovereignty have been endowed with degrees of legitimate authority in international society, even as incumbent states that enjoy international recognition have found their sovereignty circumscribed. More often than not, however, these same changes have rendered wholesale boundary revisionism on the continent less critical as intrastate autonomy arrangements have been vested with a degree of legitimacy in international society.

These changes reflect a set of forces with contradictory effects on Africa's border politics. The contemporary international system provides African rulers less autonomy than during the period of superpower competition. But two factors have replaced the patronage of Moscow, Washington and the ex-colonial powers in providing resources useful in regime consolidation and boundary maintenance. The first has been China's growing presence on the continent, which has almost invariably favoured existing rulers and the territorial status quo. The second has been the increased attention paid to weak and collapsing states in American security strategy, resulting in renewed strategic attention to Africa. But in its focus on cooperating with local authorities capable of providing effective administration with hostility to political Islam, this security strategy has sometimes undercut either very weak or Islamist oriented governments in ways that could yet encourage territorial revisionism. A third set of transformations around shifting international norms has pulled in the opposite direction, undercutting the negative sovereignty regime through far-reaching interference in domestic governance arrangements. In the interests of stabilizing an international order that

has become more difficult to insulate from the effects of violent conflict within states, outside states have begun to pressure African states to decentralize power to regional autonomies, democratize in ways that provide meaningful self-determination for sub-state groups, and have even recognized rights to self-determination after protracted separatist wars.

From Washington to Beijing

The first factor reinforcing shaky regimes against rival sovereignty claims is the displacement of the Washington consensus with the Beijing consensus. Indeed, China's importance goes beyond the economics of foreign aid and development policy, providing different terms of engagement with the continent reflecting an ideology backed by China in international diplomacy around the continent. The effect has been to provide new resources for regime consolidation while insulating rulers from the effects of conditionality premised on liberal political and economic norms. As western powers did during the Cold War, Chinese investment and assistance in Africa has served to bolster the center against separatists and other internal challengers in ways that support the territorial status quo.

China's role in arming, financing, and providing diplomatic cover for a Sudanese state confronting rebels in Darfur, the East, and the South, or the attack against Chinese oil workers by in Ethiopia's Ogaden, in April 2007, are dramatic illustrations of a much broader trend.

[add numbers, empirical examples – Sudan, Darfur and changing Chinese position on CPA/self-determination]

The War on Terror and Effectiveness

A second unforeseen change has been the war on terror, and its reverberations on the continent. Unlike China's role, which almost invariably supports those in the national capital, the effects of counter-terrorism efforts in Africa have tended to benefit those actors in a position to combine effective governance with a hostile stance towards political Islam. In privileging actors who effectively control territory, US foreign and security policy in the past decade years has generally shored up the center while pushing governments to administer and control peripheral territories and make borders less permeable.

The end of the Cold War and the inglorious end to the US mission in Somalia saw a rapid decrease in Africa's importance in US policy. After the attacks on its embassies in Nairobi and Dar es Salaam in 1998, the US expanded defence cooperation with Kenya. But policy remained incoherent, ad hoc and focused on humanitarian relief and evacuation missions. But the events of September 11, 2001, lent US policy new coherence, focusing a new national security strategy on shoring up weak regimes, especially those that confront Islamists and have a prominent role in US energy security.

The Defense Department has played the lead role in implementing the strategy, culminating in the creation of a military headquarters in 2007 dedicated to Africa, AFRICOM, which replaced a structure that divided the continent between three separate regional headquarters. AFRICOM oversees existing programs that are providing new resources to strengthen sovereignty. A five year, $500 million plan between the State and Defense Departments five-year, $500 million partnership between the State and Defense Departments,[7] includes Algeria, Burkina Faso, Chad, Mauritania, Mali, Morocco, Niger,

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[7] The State Department calls it the Trans Saharan Counterterrorism Training Initiative, while for the Defense Department it falls under Operation Enduring Freedom Trans Sahara. USAID also supports the programs.

Nigeria, Senegal and Tunisia. A related initiative in the fulg of Guinea assists ten states –

Angola, Benin, Cameroon, Equatorial Guinea, Gabon, Ghana, Nigeria, Republic of Congo,

Sao Tome and Principe, and Togo – to develop and improve maritime security against a

variety of threats. Though the efforts are focused on military training in counterterrorism

and maritime security, there are clearly dividends for the fight against other insurgent groups,

such as the rebellious Tuareg in Mali and Niger, any number of Chadian opposition

movements, the remaining Sahrawi opposition to Morocco in Western Sahara, and groups

operating in the Niger Delta.

[add section on opportunities open in counterinsurgency strategy]

To an extent, however, the emphasis on effectiveness in US policy is agnostic as to

just who provides order on the ground. In places such as Somalia and to a lesser extent

Sudan, the new emphasis in US policy has provided one avenue for the rulers of separatist

and autonomist polities to engage a powerful patron. The US began cooperating with

Somaliland's security services from mid-2003, for example, and Somaliland's government

began cooperating in regional security initiatives around the same time (ICG 2005b). The US

Defense Department generally, and the task force in Djibouti specifically, has taken the lead

in pushing for recognition of Somaliland in Washington, even as the State Department has

followed the African Union position. The government in Hargeisa has attempted to

instrumentalize the Islamist threat, turning it into a strategic argument favoring its

international recognition, arguing that without recognition it will lose legitimacy and Islamist

challengers will gain ground (Shillinger 2005; ICG 2006b). "Somaliland should be

independent," argued one senior Defense official, adding, "We should build up the parts

that are functional and box in" the unstable regions, but "the State Department wants to fix

the broken part first – that's been a failed policy" (Tyson 2007). Even as the US, Ethiopia,

and other western governments have stopped short of recognition, they have expanded

counterterrorism cooperation with Somaliland's government in ways that constitute de facto

recognition of its authority.[8]

[Add section on Sudan – terrorism cooperation between Washington and Khartoum

v. self-determination and SPLM/Darfur connections to Washington lobbies]

International Norms and Sovereignty as Responsibility

Even as sovereignty has been attenuated, the international legal sovereignty of the central

governments still matters. Outside powers still remain wary of recognizing separatist claims.

The two exceptions on the continent, outside recognition of Eritrea's right to self-

determination in 1991 and endorsement of Southern Sudan's right to self-determination

through a series of negotiations culminating in the 2005 Comprehensive Peace Agreement

have involved state consent and changes to the juridical status of these entities that are

perfectly legal under international law. In other cases, such as Somaliland, they have largely

delegated decisions around recognition to powerful African states whose leaders are

generally hostile to secessionism. For this reason, many peripheral elites still use their

increased power vis-à-vis the central government to push for power-sharing at the center

and degrees of regional autonomy rather than exit from the state. Through fighting and

negotiating, many such groups have managed to obtain increased autonomy for regional

institutions, often in tandem with pressures for democratization and decentralization. Thus,

even the weakest African states have managed to persist in their recognized boundaries,

Somalia's survival being merely the most extreme example. Yet sovereignty has been

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[8] Moreover, Ethiopia's intervention in Somalia, with US support, has helped shore up Somalia's tottering and ineffectual transitional government in ways that benefit the Puntland and Somaliland governments, which would have had greater difficulties preserving their autonomy against the more effective Islamic Courts movement.

rearranged and redistributed within these states in ways that make Africa's international

borders and national capitals a poor guide to the actual locations of legitimate authority

domestically and, sometimes, even internationally.

[Add brief sections on rising status of insurgencies that can create alliances with outsiders on

the basis of liberal norms, and the institutional effects of conflict management through

power-sharing, decentralization]

Outside interveners are not always on the side of decentralization in the name of

political liberalization. Where the balance of power locally means that future stability rests

depends on siding with centralizing forces, the impetus for decentralization is muted. In the

Congo, for instance, outside states have condoned and even abetted the Kabila

government's efforts to centralize rule in violation of the decentralizing reforms of the quasi-

federal constitution carefully negotiated and approved in a 2005 referendum (Liégeois 2008;

Tull 2009).

Conclusion

Surveying Africa two decades after independence, Robert Jackson and Carl Rosberg

observed "no country has disintegrated into smaller jurisdictions or been absorbed into a

larger one against the wishes of its legitimate government and as a result of violence or the

threat of violence. No territories or people – or even a segment of them – have been taken

over by another country. No African state has been divided by internal warfare" (Jackson

and Rosberg 1982: 1). With just a few exceptions this statement holds more or less true

some twenty-five years later.[9] Viewing the continued survival of African states within their internationally recognized boundaries, some see a remarkable degree of "structural inertia" in which "apparent transformations and prevailing volatility have contributed little progress, little systemic change, and little substantive improvement across the board (Englebert 2009: 2). This inertia is lamentable insofar as it signals the perpetuation of a state system so clearly at the root of many of Africa's most pressing problems, including weak statehood, corrupt and patrimonial rule, and the failure to achieve meaningful or sustainable levels of economic and human development.

Yet inside the static borders of the continent's political map, there have been significant changes. In some cases, these changes have created an opening for case-by-case changes in the juridical status of particular claimants that would redistribute juridical sovereignty and redraw the recognized international boundaries of existing states. Governments in Juba and Hargeisa both operate an independent foreign policy and are treated by many outside states as if they have legitimate rights to the territory they claim, including a right to territorial integrity, despite overlapping claims from Khartoum and Mogadishu (or Baidoa, or Nairobi, wherever the recognized government of Somalia, if any, happens to be sitting). We may yet see Southern Sudan and Somaliland added to the roster of African states and the short list of successful secessionist bids. But as significant has been the reordering of authority within states. As African states "have begun moving away from colonially designed juridical statehood to fashion empirical formulas that respond to the

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[9] A list of these exceptions could include: Western Sahara, an exception that also held true when they wrote their seminal article; Eritrea's consensual secession from Ethiopia after three plus decades of warfare; the continued survival of sub-state entities that have emerged from Somalia's collapse, particularly Somaliland and Puntland; Sudan's division between North and South; and the occupation of parts of Eastern Congo by Rwanda and Uganda.

messiness of their current realities" they have done so largely within the juridical confines of the postcolonial distribution of juridical statehood (Lawson and Rothchild 2005: 228).

Much in the same way as the negative sovereignty regime emerged as an institution for promoting stability in newly-independent Africa states while insulating the international system from internal instability, recent institutional arrangements are increasingly seen as a means through which order can be achieved in the African state system without the destabilizing consequences of creating new sovereign states from the territory of existing ones. African governments are no longer free to unilaterally abrogate regional autonomies or power-sharing arrangements negotiated under international auspices, or even reconquer territory lost to actors with ambitions to autonomy or independence, without suffering potentially serious costs in their international relations. Invoking the right to non-interference of the *ancien régime* of negative sovereignty is unlikely to blunt international reactions as effectively as it once did.

Those who advocate using selective recognition, conditional sovereignty, and calculated territorial revisions to improve conditions of governance in Africa are likely to be disappointed by the ad hoc and incomplete nature of these changes. "Territorial delimitations have remained frozen, and modes of governance based on personal rule, ethnic alliances, factionalism, and plundering have remained dominant" (Englebert 2009: /). In viewing the effects of the few territorial revisions that have taken place, or are distinct possibilities in the near future, the picture is relatively bleak. Rather than promoting national liberation and regional stability, Eritrean self-determination lapsed into authoritarianism, a deadly but pointless war. Eritrea has gone from being a site of proxy warfare to exporting instability through its support to regional insurgencies. It remains to be seen whether Southern Sudan's accession to independent statehood will be consensual, contested, or even

derailed, though some degree of renewed violence seems a safe prediction – indeed, it has already begun in contested border regions between North and South. The quasi-federal reforms envisioned for the Congo remain unimplemented. Even in Somaliland, the template of many proponents who advocate engaging and perhaps even recognizing effective separatist entities, the government's accomplishments are more fragile and less impressive than its proponents concede.

The cumulative effect of the transformations surveyed above have been less to improve conditions on the continent than to undo the great leveling that occurred with decolonization as a diverse set of authority relations between colonial polities and the metropole, and within polities themselves, were replaces by a homologous system of territorially sovereign states. Though Africa's borders provided an accurate guide to the locations of legitimate authority in international society in the postcolonial period, contemporary realities are more complicated. The unique configurations of sovereignty, territory and authority inherent in the heterogeneous and differentiated set of polities that have emerged since the early 1990s are with us to stay. In the decades after independence, these sorts of anomalous institutional arrangements were quite literally rendered unthinkable. The emergence of entities that correspond more closely to the contours of politically legitimate authority and the territory across which it can effectively be exercised is a welcome development.

Compromised Authority: the Darfur-Chad border zone c.1800-1956

The Darfur-Chad border zone has in recent years attracted significant attention in the context of cross-border conflict and proxy war. The boundary between the two areas seems to have been little controlled by states on either side, and does not appear to have functioned as a line of division between local societies: it is perhaps one of Africa's most 'porous' boundaries. Waves of migrants fleeing drought across the border from Chad are perceived to have indirectly fuelled conflict by placing increased pressure on scarce land resources in Darfur. More recently large numbers of refugees from both Chad and Sudan have fled conflict in both states by crossing the border.[1] Darfur was also involved in the long-running conflict between Chad and Libya, often playing host to large numbers of rebel troops from its neighbours, and becoming awash with arms as a result.[2] In recent years the use of the border zone by rebel groups in both Darfur and Chad has become ever more pronounced.[3] Thus it may seem that the problem with the boundary in the Sudan-Chad region is not its arbitrary splitting of culture groups (although the boundary certainly does do this in places) but the lack of will or ability of state authorities on either side to police the boundary effectively. This in turn goes back to the role of the colonial powers that first set this boundary and attempted to manage it with only limited success; the instability of the frontier in this view might be a direct inheritance of the colonial state.

But if the colonial rulers failed to set boundaries that effectively divided people into coherent political and social units, answering to the clearly defined authority of a single state, this is hardly surprising. Well before the British and French entered this region, the same areas between what is now Sudan and Chad were situated between the rival sultanates of Wadai and Darfur. In this sense the colonial powers were merely the latest outsiders trying to exercise effectual authority in the area; their successors are merely the latest failures. A *longue duree* approach to the region has much recommend it. Narratives of present-day 'state failure' in implicit contrast to the colonial 'Pax Britannica' overstates the colonial state's ability to produce order and understates its role in abetting or maintaining what might be termed 'disorder.'

While this paper is grounded in archival historical research on the Darfur-Chad boundary, the arguments it makes may have relevance beyond the immediate study it deals with. The findings reinforce the idea now prevalent in border studies that porous borders need not equate to meaningless or useless borders: in fact it is the permeability of a border which may be key to understanding the utility and meaning of that border to local populations, in the colonial period, as it is today. Nugent makes such an argument about smuggling, that 'contraband trade has helped to render the border more legitimate and not less so.' [4] Migration is another key means by which local populations have made use of the boundary in this case study: Asiwaju's work on 'migration as revolt' is also very relevant to this paper.[5] But the usefulness of

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[1]   M.Daly, *Darfur's Sorrow* (New York, 2007), pp.215-217, 233, 244, 259, 262.
[2]   For detail on this see J.M.Burr and R.O.Collins, *Africa's thirty years war : Libya, Chad, and the Sudan, 1963-1993* (Boulder, 1999); Daly, *Darfur's Sorrow*, pp.217-220, 242-245, 259-264.
[3]   J. Tubiana, *The Chad–Sudan Proxy War and the 'Darfurization' of Chad: Myths and Reality* (Geneva, 2008).
[4]   P.Nugent, *Smugglers, Secessionists and Loyal Citizens* (Oxford, 2002), p.7.
[5]   A.J.Asiwaju, 'Migrations as Revolt: The Example of the Ivory Coast and the Upper Volta before

movement away from a particular power or state is surely predicated on the existence and recognition of a boundary, however porous it might be. Once a migrant is across the border, they are much more difficult for the rejected authority to retrieve. Thus, again, the boundary could not be 'subverted' without a simultaneous acceptance of its existence. So the Darfur-Tchad boundary was a social and political fact for local peoples: it was an African as well as a colonial boundary.

But the colonial state was not entirely powerless on the border between Darfur and Chad; its power was limited but not imaginary. Borderlands have often been used as case studies to suggest the contrasts between differing forms of colonial rule. This paper focuses more on how the colonial powers managed their cross-frontier relationship as border governors, and outlines the varied patterns of conflict and co-operation between the powers.[6] It will focus particularly on the regulation of flows of people across the border. Little attention has been paid to the colonial policing and management of borders, bar Nugent's recent work on the Gold Coast Customs Preventive Service operating on the Togoland border.[7] In the Darfur-FEA borderland the prevention of smuggling seems to have been a less significant issue than dealing with 'unauthorised' migration. Also there was no specific 'border police' or customs service: the colonial administrations on either side had to rely on the general state apparatus of control and coercion, police and Native Administrations. As we will see, colonial powers were far from in agreement over how best to deal with the issue of migration in particular. In essence their inability to create territorially distinct and controlled border zones, and their frequent creation of ad hoc cross-border jurisdictions meant they were *de facto* often recognising the boundary as a porous line, and had to adapt idealised European norms to the local environment. Again, this follows Nugent's argument that 'colonial officialdom operated on the explicit assumption that it was unable to call the shots, while border peoples themselves helped to forge the power relations that emerged on the border.'[8]

Most importantly perhaps, despite the apparent weakness of the state in a region much removed from the centres of colonial power, the state had an important role in the patterns of local disputes over authority and land. Groups on either side of the boundary, while at one level often ignoring the authority of the state, or at other times experiencing the state as a unpredictable and dangerous force, might also use the state (usually in the person of the local District Commissioner or *chef de subdivision*) as a patron to protect or advance their own interests. Border chiefs might in fact have had more involvement with the state than their counterparts based further away from the international boundary. Rival states could be more easily co-opted onto one or another side of a dispute by local elites, although rivalries within a state might also be exploited along internal frontiers, where multiple provincial or district administrations existed.[9] And the weakness of the state in an area so remote from its centres of power,

1945', *Journal of African History* 17, 4 (1976), pp.577-594.
[6]   The classic comparative work is A.I.Asiwaju, *Western Yorubaland under European rule 1889-1945* (London, 1976); more recently W.Miles, *Hausaland Divided,* (New York, 1994).
[7]   Nugent, *Smugglers,* pp.77-113. Asiwaju considers cross-border policing of the border only briefly in *Western Yorubaland*, pp.144-147.
[8]   Nugent, *Smugglers*, p.80
[9]   For interesting views on internal borders see E. Allina-Pisano, 'Borderlands, Boundaries, and the Contours of Colonial Rule: African Labor in Manica District, Mozambique, c.1904-1908', *International Journal of African Historical Studies* 36, 1 (2003); S.Jackson, 'Potential Difference: Internal Borderlands in Africa', in M.Pugh, N.Cooper and M.Tuner (eds.) *Whose Peace? Critical*

made it somewhat easier to manipulate. What was often termed 'prestige' by administrators and later academics, key to ideas of the colonial 'right' to rule, was perhaps less to do with a distant performance of superiority, than a sometimes desperate struggle to prove the relevance and effectiveness of the colonial state.

This is not to say that the state was always simply co-opted into local disputes. Colonial administrators were often painfully aware of the potential that their situation had for the ability of local elites to play them off against each other. This was one reason for the official eagerness to stage joint cross-border meetings between officials and local elites, performing the role of a united 'civilised' government to their subjects. And indeed, the state was not always manipulated into support of their own clients at the expense of Franco-British unity: demands were frequently made, but not always supported. Still, the state often did prove a useful patron: at some level then, the state was being constructed at its own margins, or as Nugent puts it 'border peoples have been active participants in the shaping of… the contours of the state itself.'[10]

The inheritance of the Sultanates

The border region between present-day Darfur and Chad lay at the margins of the Islamic Sultanates of Darfur and Wadai from the seventeenth century until the advent of colonial rule in the region. The neighbouring Sultans had a troubled relationship, and were particularly heavily embroiled in conflict in the late seventeenth and early eighteenth centuries. The frontier between them was therefore a space of fluid political allegiance, depending largely on the changing fortunes of the two Sultanates. Several minor Sultanates were located on the frontier, and their loyalties to their larger neighbours were very changeable. The Sultan of Dar Sila, for example, paid tribute to both Wadai and Darfur during the nineteenth century while retaining substantial autonomy from both kingdoms. Dar Tama, a little further north, paid tribute to Darfur until its 'conquest' in the nineteenth century by Wadai. But it also kept considerable autonomy at all times.[11] Tributary relations were necessarily loose: the frontier was not part of the 'core' areas administered by either Wadai or Darfur.

Having pointed out this fluidity and flexibility, it was still the case that the notion of fixed territorial limits of governance was important, although understandings of these limits were not always translated into demarcated boundaries. For instance the existence of an ungoverned 'no man's land' between the two Sultanates in part of the area now known as Dar Masalit, was reported by nineteenth century travellers, a zone about one day's march wide.[12] The same reports described the existence of a demarcated boundary line along the edge of at least part of this frontier zone. This was known as the *tirja,* a 'natural' border based on parallel ranges of hills, which had been fortified with stone and *zaribas* (enclosures of thorns).[13] While this probably only covered a limited section of the boundary between the two sultanates, it is important to note the existence of a physical line of separation between the two polities. Border posts were established by the rival sultanates and carried out

Perspectives on the Political Economy of Peace building (Basingstoke, 2008), pp.266-283.
[10] Nugent, *Smugglers*, p.5.
[11]   L.Kapteijns, *Mahdist Faith and Sudanic Tradition* (London, 1985), p.21
[12]   Ibid., p.15
[13]   Ibid., p.20

functions similar to their colonial successors: exacting some form of tribute from traders crossing the border, quarantining the sick, and maintaining substantial frontier guards at key border settlements.[14] Pre-colonial African states then demanded borders like any other state: in the African context borders provided definitions of taxable zones, and areas where slaving was legitimate or illegitimate.[15]

From the late nineteenth century Darfur became subject for the first time to attempts by states based in the Nile Valley to extend their rule over the old Sultanate. Turco-Egyptian imperial administration took over Darfur in 1874 after the death of Sultan Ibrahim at the hands of Zubeir Pasha, the famous slaver-governor. While the Turco-Egyptians did manage to tax Darfur, they never fully established a stable rule in their short period of governance: the western frontier sultanates remained a particularly problematic centre to control. From 1882 Mahdist rule over Darfur saw even greater instability on the western frontier. The Khalifa Abdullahi's hostility to the frontier sultans after the death of the Mahdi eventually resulted in the confinement of the Sultans of Dar Masalit and Dar Tama in Omdurman. By 1888-9 a frontier revolt emerged against the Mahdist state, members of the Masalit, Tama and other frontiers people briefly uniting under the leadership of one Abu Jummayza, a local *feki* (holy man). This was rapidly suppressed. But the Mahdist hold on the western frontier was always fragile, and with the restoration of the Darfur Sultanate in 1898 under Ali Dinar, Darfur's frontier sultans continued to exercise as much autonomy as they possibly could. The Sultan of Dar Masalit was particularly often in conflict with Ali Dinar.[16]

This summary of the pre-colonial history of the Darfur-Wadai frontier suggests that while boundaries as lines of separation existed in the pre-British period, the frontier zone between the Sultanates remained an area of contested authority, and lines of separation were usually not fixed in place. It was the intervention of colonial rule that fixed these lines as we find them on maps today. But the sense of cross-border contest and the manoeuvring of local elites between rival states continued throughout the colonial period and into the present day. Border elites were to some extent the clients of the neighbouring Sultanate states in the pre-colonial period: in the colonial period the patrons became the colonial states, and the border elite made claims to rights as subjects and clients of these partially recognisable states. This began with the process of defining a fixed boundary between Darfur and Chad and continued throughout the colonial period as cross-border disputes over authority and land remained unresolved by the incomplete demarcation of the border.

The making of a colonial boundary

It is clear that British and French negotiators and boundary commissioners were interested in the relevance of local history and current social realities to the way that the boundary should be delineated and demarcated. However, it was far from the case that local realities determined the course of the boundary. The original declaration of

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[14]   G.Nachtigal, *Sahara and Sudan, Volume 4: Wadai and Darfur* (London, 1970), pp.235-236, 241
[15]   For an interesting discussion of pre-colonial concepts of boundary see P.Nugent, 'Arbitrary Lines and the People's Minds: A Dissenting View on Colonial Boundaries in West Africa' in P.Nugent and A.Asiwaju (eds.), *African Boundaries: Barriers, Conduits and Opportunities* (London, 1996), pp.36-41.
[16]   For detail see Kapteijns, *Mahdist Faith* and A.B.Theobald, *Ali Dinar*, (Bristol, 1965)

1899 by the British and French regarding the Darfur-Wadai boundary defined the limits of each power's sphere of influence in the region, and made a striking reference to the need to 'separate in principle the Kingdom of Wadai from what constituted in 1882 the Province of Darfur.'[17] When formal boundary negotiations occurred in 1919 and the boundary was finally demarcated in 1922-3, this agreement appears to have maintained some importance. But the 'principle' of 'effective occupation' trumped historic legacies where the French had expanded into what had previously been Darfur territory, particularly in the western part of Dar Masalit. It is also worth noting that the precedent of 1882 was the precedent of the last year of Turco-Egyptian rule in Darfur. The colonial powers were not harking back to pre-colonial 'indigenous' precedents: rather they were eager to discover the boundaries of their imperial predecessors in the region. How far Turco-Egyptian boundaries themselves reflected those of the nineteenth century Sultanates is unclear.

But the interest in historical precedent in the area did provide opportunities for frontier elites to assert the range of their authority over territory and people at the stage of demarcation. The search for 'traditional' boundaries therefore had much in common with the search for 'traditional' authority: both could lead to a proliferation of claims by local rivals asserting different versions of local history.[18] Disputes over the running of the boundary were thus sometimes not principally between local elites and colonial power, but between local elites themselves. At times, the colonial powers then ended up in disputes with one another on behalf of their subjects. Yearwood suggests the readiness of colonial governments to negotiate on behalf of their subjects' claims was motivated by the desire to boost prestige amongst those subjects.[19] If so this demonstrates just how fragile colonial authority was: the representatives of European states were forced into negotiations that sometimes became embarrassingly intractable, in order to prove their efficacy as protectors of the 'rights' of their subjects. This process in itself is reminiscent of Nugent's findings on the Ghana-Togoland border, of the links that were created between the state and its subjects in the process of defining land rights: frontier elites were asserting rights as the (potential) subjects of colonial governments.[20] But these assertions were not always successful, and it was sometimes the case that a sceptical attitude and a sense of distance from the government were the result of unsuccessful claims.

Boundary making was an intensely involved, two-way process: commissioners and officials recorded numerous examples of the vigorous manner in which claims to land were made by local elites. For instance, Sultan Idris of Dar Gimr (a minor border sultanate) and his son went out of their way to demonstrate the boundary to visiting British officials in the run up to the arrival of the Boundary Commission: 'every evening Hashim used to point out the hills and wadi which marked it… Having heard that a commission was coming in the autumn to mark out the frontier, they were doing their best to get in the first word.' But one official was unconvinced: 'from all accounts the true frontier lay a good few miles to the east of the line they claimed.'[21]

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[17] Quoted in Theobald, *Ali Dinar,* p.64.
[18] See the work of Sara Berry for analysis of 'tradition' as an inherently unstable category: *Chiefs Know Their Boundaries: Essays on Property, Power and the Past in Asante 1896-1996* (Oxford, 2001) and *No Condition is Permanent: the Social Dynamics of Agrarian Change in Sub-Saharan Africa* (London, 1993)
[19] Yearwood, 'Partition of Kamerun', p.221, 227.
[20] Nugent, *Smugglers*, pp.49-76.
[21] Hamilton memoirs, Sudan Archive Durham (SAD), 490/4/119.

Local elites did however have some success with the commissioners once they arrived in 1922. On the borders of Dar Fungoro a conference was held where 'after exchanging views on the past history of Dar Fongoro, so far as had been procurable from local sources, the evidence of the principal *Meliks* (chiefs) on both sides of the present administrative line, was heard.'[22] It was found that 'the boundary as now existing was well understood and recognised.' But this was an instance where local actors agreed on the course of the boundary: where local disputes occurred, commissioners and officials on the spot were often unable to resolve them effectively.

For instance, a dispute within the leading kin group of the Zaghawa Kobbe over the rightful claimant to the Kobbe Sultanate was played out between rivals across the northern part of the international border. The dispute had started in the years before the arrival of European administrations: Sultans Ali Dinar of Darfur and Dud Murra of Wadai had supported rival claimants to authority as their own clients. Now the British and French directly inherited that pattern of conflict. This became territorialised by colonial attempts to allocate rights to a particular group of wells lying on the boundary at Tini, which became a key point of disagreement. 'Witnesses' from both sides of the conflict were summoned by European commissioners at a 'conference' to present evidence as to the legitimate ownership of the wells: local elites had to perform effectively in such a setting to have success. But their efforts might be in vain if deemed to produce inconvenient results: the lead French Commissioner complained that 'no native witnesses could be relied upon and it was impossible to arrive at the truth.'[23] The obvious prejudice aside, it was probably very difficult for outsiders to judge between differing oral testimony, much as it can be today. A stalemate between the commissioners was the result, and the matter was eventually decided in final negotiations in Paris where it was decided that access to the lakes would be shared.

At times though, European commissioners simply dug their heels in against local input. The Taaisha Arabs of Darfur became extremely disgruntled when the French claimed 'certain sites of historical interest, birthplaces of Taaisha celebrities, and a certain number of grazing grounds, with a considerable area of hunting ground.'[24] The lead British commissioner was 'impressed with the warmth of local indignation' in response to these claims, but after another stalemate on the ground, French claims won out in the final negotiations in Paris. Local elites vividly remembered the Sudan Government's failure to protect their rights years later.[25]

The colonial boundary clearly did not faithfully reproduce local understandings of the border: and nor could it, given the obvious local disagreements as to where the boundary lay, even without the cold facts of 'effective occupation.' But sometimes the border bore the signs of compromise between both local and colonial disputants, and traces of local history and agency, both on a macro and micro level. It was not simply a unilaterally imposed line which reflected the uninformed prejudices of European commissioners and diplomats. What is most significant though, is the practice of

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[22] Pearson, Lead Commissioner to Stack, 13 Apr. 1922, The National Archives (TNA) FO 141/664/2.
[23] Ibid.
[24] Pearson, Lead Commissioner to Stack, 31 May 1922, The National Archives (TNA) FO 141/664/2.
[25] Lampen memoirs, SAD 734/8/43.

local elites appealing to colonial patrons to support their interests: as we have seen in the case of the Zaghawa Kobbe, this was not a new development with the appearance of colonial power. And this pattern, unsurprisingly, continued throughout the colonial period. Border politics thus retained its much of its characteristic fluidity, expressed in adventurous political entrepreneurship, and regular appeals to the state, and was only rigidified to a limited extent by colonial intervention.

Border governance

British and French administrators were very much aware of the imperfect control they wielded over their neighbouring borders. The border ran across a huge area: between Darfur and Chad it is almost 1300km long. Despite the efforts of commissioners and officials to demarcate the boundary with beacons (usually meaning piles of stones), the absence of natural boundaries (rivers, mountains etc.) along much of the border and the relative scarcity of the beacons that were placed, meant that the border was made physically visible to only a very limited extent. One of the Lieutenant-Governors of Tchad, Husson, spelt out the issues involved in making the boundary a meaningful line of separation in 1928: 'For us Europeans this idea of Frontier is very clear. It is not always the same in the minds of the natives, above all when this is a fictitious line given by a map, and since nothing is materialised on the ground'. Husson made a full inspection of part of the boundary bordering Dar Masalit in order to ' "concretise" it on the spot in the presence of the local native chiefs.' Where there was no natural feature of division following the line then demarcation was necessary

> with boundary posts and sufficiently numerous Gumeiza trees... posts are not only landmarks, but will be able to be transformed... into frontier posts. They must be placed by agreement between you and the interested French captains; the native chiefs must assist in placing them.[26]

Husson had made these comments in response to what he viewed as large-scale unauthorised migration from Tchad to Darfur. But, despite Husson's exhortations, it seems that there was no sustained programme to effectively demarcate the border, after his own very localised efforts.

Colonial governance of this frontier zone therefore demanded administrative forms and practices that were adapted to local conditions, if government was to be effective at all. The model of precisely defined territorial sovereignty could only partially be imported into an African setting, where European resources were so limited, and therefore cross-border administrative co-operation was essential. But in practice, administrators on both sides remained profoundly uncertain as to how for such co-operation should go. Arrangements between French and British administrators were made at various times through the colonial period, but remained personalised and sporadic, rather than becoming institutionalised mechanisms of cross-border governance.

The language of early attempts to define rules for co-operation against rebel groups is revealing of the uncertainties in colonial thinking. French and British representatives in the frontier zone agreed in 1917 that for properly authorised patrols pursuing rebels

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[26]   Husson, Commandant Wadai to Resident Dar Masalit, 2 Aug. 1928, National Rexcords Office, Khartoum (NRO), Darfur 3/1/5.

in the 'area of the frontier… frontiers might be considered as non-existent.' The French stated that otherwise rebels might 'sit at their ease in perfect safety and mock their pursuers' by escaping across the border(and ridicule was of course the last thing colonial officials could cope with). The rebels were 'the common enemy' and they had to learn that it was 'useless to play one against the other.' [27] In other words, displaying the unity of the 'superior' Europeans was more important than creating a clear sense of a boundary line, at least where rebellious subjects were concerned. This was especially important in the early years of colonial rule, where European control was very far from complete. But attempts at joint patrols even then were not successful: one comment on French behaviour in the course of one of these efforts in 1917 was that 'they have played an extraordinary game with us', having raided the targets of the patrol independently and capturing 'a great deal of loot'.[28] The British in contrast, returned home empty handed.

Apart from bands of 'rebels', 'criminals' also posed problems for the colonial administration. In 1934 it was acknowledged that 'criminals' (suspects might be a more accurate term) generally found it easy to 'evade arrest' in the frontier zone.[29] Flexibility in crossing the boundary in pursuit of criminals was often discussed and even approved in 1918 by the Foreign Office, but as with sending patrols against 'rebels' these arrangements remained contested and half-hearted. Sometimes the other colonial power reacted badly to cross-border infringements, although often they did not.[30] Much of this depended on the personnel on the ground at the time, and the personal relationships across borders. An infringement by Sudanese police into Tchad in 1950 provoked a minor diplomatic storm: the British Resident at Dar Masalit at the time believed he was acting in the 'spirit of the agreement for mutual cooperation along the border… (made) in May last.'[31] However a French judge did not agree and as a result imprisoned the police and confiscated their rifles. This unleashed a torrent of complaint from the British side.[32] The Civil Secretary of Sudan wrote wearily that "the worst thing about these informal agreements is that they depend so much on individual personalities."[33] He raised the idea of having a formally accepted system of joint action worked out: the 1918 agreement was clearly long forgotten. Attempts at joint policing of the boundary appear then somewhat fragile: colonial government was well aware of the porosity of their boundaries, but prickly nationalisms might trump pragmatism at any moment.

The British did make proposals for annual meetings between French and British officials to be regularised in order to jointly settle the many disputes that crossed the border. Such meetings did in fact take place fairly regularly throughout the period, but always depended on local initiatives. Coppet, Lieutenant Governor of Tchad in 1926,

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[27]   All from 'Record of a conversation between Saville and Tilho,' 11 July 1917, TNA FO 371/3199 and TNA FO 141/741/2.

[28]   EG Sarsfield-Hall, Diary of Northern Patrol 27A, SAD 680/6.

[29]   Note on Darfur Province, 1934, School of Oriental and African Studies Archives,nArkell papers, Box 3, File 1 . Again hardly surprising; the frontier as a zone of escape for undesirables has been noted across the globe, not just in Africa: see J.Herbst, *States and Power in Africa* (Princeton, 2000), p.22

[30]   For formal approval of Saville-Tilho proposals see Foreign Secretary to French Ambassador, London, July 1918, TNA FO 141/741/2 .

[31]   Lewis, Resident Dar Masalit to Governor Darfur, 20 Jan 1950, TNA FO 867/24.

[32]   Henderson, Governor Darfur to Robertson, 21 Jan 1950; Lewis, Resident Dar Masalit to Deputy Civil Secretary, 27 Jan 1950, FO 867/24.

[33]   Robertson, Civil Secretary to Henderson, 13 Feb 1950, FO 867/24.

rejected proposals for regularisation on the grounds that French officers were too young, inexperienced and lacking knowledge of the language or history of local peoples. Superior British experience of the region was feared to make it likely that the British would win in any disputes and this would damage French prestige if carried out 'in front of the natives.'[34]

This reluctance to evolve consistent regularised mechanisms for cross-border co-operation persisted to some extent throughout the colonial period. British administrators believed that 'rigidity of mind, under the cloak of nationalism, is too fundamental a feature of the French character to encourage optimism.'[35] But there were more sometimes concrete and tangible difficulties to contend with than petty stereotyping. Geneina and Adre, two of the key border towns, were only 15 miles apart across the boundary, making for easy and regular contact between officials, but in the northern part of the frontier Kuttum and Fada were 370 miles apart. Telegrams to Fada from Kuttum had to be 're-transmitted 5 times, and being in a foreign language, if it arrives at all, it arrives exceedingly corrupt. To get a letter safely delivered to Fada seems almost harder.' The DC who noted these facts also argued that frontier meetings were only useful if the decisions made were actually carried out, and effective execution of these required far more effective communication than actually existed.[36]

Still, it is worth noticing that frontier meetings did sometimes yield interesting results, suggesting that indeed joint sovereignty over the border-land could at least sometimes be exercised if the will was there. 'Accredited *wakils*' (deputies) were to manage the cross-border administration of Bedayet and Zaghawa pastoralists from 1944, co-operating in collecting taxation from the individuals listed under a particular chief, regardless of which side of the boundary they were on at the time.[37] How effective these mechanisms were is unclear but their use suggests the recognition by the colonial powers that this frontier zone did require a distinct form of administration. Similarly the Zaghawa court in Northern Darfur in the 1940s did take on cases involving the peoples of the northern desert frontier regardless of their usual territorial location. Goraan, Bedyaet, Kababish and Zaghawa peoples all approached the authority of this court, despite many of them being subjects of the French.[38] And the frequency of meetings between officials, particularly between those stationed at Adre and Geneina, and indeed between local chiefs who were on different sides of the border, attests to a sense that to resolve disputes and retain effective control of the area, government could not stop at the border. Local communities moved across the boundary line, ethnic groups straddled colonial lines of division. In order to keep up with their subjects, colonial administrators had to some extent reflect this fluidity in administrative practice. Colonial border government was then a set of hybrid practices, born out of both European and African conceptions of the frontier, but creating something new. Practices of government sporadically emerged that reflected the partial and uncomfortable compromises of colonial power with the environment it inhabited.

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[34]   Arkell, Acting Resident to Governor Darfur, 2 May 1926, NRO 2.D.Fasher (A) 59/1/2.
[35]   Resident Dar Masalit, Note on frontier relations with FEA, 8 Aug. 1950, NRO 2.D.Fasher (A) 59/2/4.
[36]   Annual Report Northern Darfur District, 1953-4, NRO 2.D.Fasher (A) 47/9/34.
[37]   Moore to Governor Darfur, 18/5/44, TNA FO 867/24.
[38]   Moore, DC NDD to Governor Darfur, 18 May 1944, TNA FO 867/24.

Migration, chieftaincy politics, and patron-client relationships

The area that most clearly exposed tensions within the relationship between the colonial powers was migration policy. In broad terms, the general trend of migration across the border was eastward, from Tchad to Sudan. This was of course a phenomenon with a variety of causes. And Chadian migrants moved not just east, but also south into the Belgian Congo, and westward into Nigeria and Cameroon. But the most significant movement from Tchad was into Sudan. Many migrants went east to work on the Gezira cotton scheme in eastern Sudan, in order to earn cash. From 1936 with the decline in cotton prices, increasing numbers also went to work in Ethiopia, often for Italian construction firms.[39] Many moving across the boundary were classed as pilgrims, although they often became difficult to distinguish from economic migrants, as they took work in the areas they moved through, and sometimes settled in these areas.

But as well as being pulled east by economic and spiritual incentives, migrants also often left Tchad in order to evade the predatory demands of the colonial state and its auxiliaries, the chiefs and Sultans of the area. British officials collected numerous testimonies from migrants who complained of abuse by soldiers in the French military, or at the hands of the Sultans whom the French had elected to use as administrators.[40] Many migrants were Arab nomads, complaining of their subjection to chiefs from outside their own communities.[41] The heavy burden of colonial taxation, and the demands made by army troops on local communities, also provoked migrants to escape. These movements might be in relatively large waves: hundreds of people travelling with thousands of animals under their own chiefs.[42] Or they might be much smaller in scale. Cumulatively they created a sense of crisis for the French colonial state, which lost sources of labour and tax revenue from this large-scale migration. French officials attempted to deal with this problem in two ways. Firstly, they frequently delegated considerable authority to borderland chiefs to control the movement of their people, by force of necessary. The results of this policy are clear from records of the sometimes extreme violence experienced by those attempting to migrate.[43] Secondly, they relied on British officials to round up and return unauthorised migrants, or at the very least assist representatives of the French colonial state sent to Darfur to round migrants up. But this put strains on relationships between already pressurised officials.

Those whom we would term refugees were termed by the French to be 'transfugees',

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[39]   M.J. Azevedo, *Sara Demographic Instability as a Consequence of French Colonial Policy in Chad 1890-1940* (Phd thesis, Duke University, 1975), pp.229, 233-4.

[40]   For example see Sheikh Ghali Wad Juda quoted in statement of MA Effendi Abdel Radi, 8 Mar. 1924, NRO 2.D.Fasher (A) 59/3/7, Resident Dar Masalit to Governor Darfur, 12 Jan. 1928, NRO Darfur 3/1/5 and Broadbent, Resident Dar Masalit to Governor Darfur, 22 June 1931, NRO 2.D.Fasher (A) 59/3/8.

[41]   For examples see Dupuis, Deputy Governor Darfur to Governor Darfur, 18 Feb. 1925, NRO 2.D.Fasher (A) 59/3/7; Broadbent, Resident Dar Masalit to Governor Darfur, 16 Oct. 1931, NRO Darfur 3/1/5; Thesiger 'Report on Camel Journey through Wadai, Ennedi, Borku and Tibesti', 1938, NRO 2.Darfur Dar Masalit 46/1/3.

[42]   Sudan Intelligence Report 354, Jan. 1924, TNA WO 33/999; Resident Dar Masalit to Governor Darfur, 27 Aug. 1928, NRO Darfur 3/1/5.

[43]   Statement of M.A. Effendi Abdel Radi, 8 Mar. 1924, NRO 2.D.Fasher (A) 59/3/7.

translated as defectors, deserters or renegades.[44] But British officials were often ready to accept the testimony of migrants escaping abuse: one wrote in 1924 that 'knowing the fate of any returned fugitive I cannot in common humanity return them'.[45] His predecessor had also stopped returning migrants 'after one of them had been literally run to death by his French escort.'[46] But quite apart from any 'humanitarian' reasons that troubled the consciences of officials, it was also the case that it was exceedingly difficult on a practical level to locate, identify and then control the return of migrants. Attempts to collect migrants by officials and police often foundered on the obstacles posed by the landscape itself: the country near the border with Zalingei was 'all long grass and cut up by wadis in all directions affording innumerable hiding places.'[47] Even if they could be identified, migrants often escaped the villages they were based in before the arrival of British police or officials. Sometimes, the host community the migrants settled in acted to protect them against their pursuers, using the language of territorial sovereignty against colonial power. One chief in Darfur stated that French officers were 'in Sudan territory without right' and beat his war drums to summon men to resist French troops. The French performed a rapid volte-face.[48] And even after migrants were captured, they often broke away from police control during the process of being 'returned.'[49] Most discomforting of all to colonial states that constantly worked to acquire reliable 'knowledge' of their subjects, of their identities and communities, it was clear that the fluidity of ethnic identities in the borderland made the process of identification itself extremely difficult. Arabs who crossed from FEA to Darfur were particularly difficult to repatriate as they were 'widely scattered, and tend on crossing the boundary to become absorbed by local Arabs, upon which they change both their name and tribe.'[50] Officials were sometimes painfully aware of the complexities of ethnic identities in the borderlands: Guy Moore, the DC of Northern Darfur in the early 1940s referred to the 'myth of Bedayet and Zaghawa distinction.'[51] Writing about the difficulties of repatriating migrants he argued that it was impossible for chiefs to 'pick out and expelling people of their own flesh and blood who had formerly lived with them under the same rule.'[52] This ethnic complexity also meant that quite apart from those seeking refuge from a predatory state, there were also a large number of migrants who simply moved across the border to reconnect with family across the boundary. This sort of movement was equally difficult to police, and posed its own problems for effective tax listing and collection.[53]

The difficulties of imposing control over population movement often led British officials to adopt a *laisser-faire* approach to control of their border. The most relaxed approach to border control was that taken by Guy Moore, DC of Northern Darfur from 1934 to 1948. He agreed with his French counterpart in 1944 that 'the necessity of driving (the Zaghawa and Bedayet) to one side or another of the frontier (should) be avoided leaving them to come and go on their lawful occasions as seasons,

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[44]   See file titles in series NRO Darfur 3/1.

[45]   Pollen, Resident Dar Masalit to Governor Darfur, 23 July 1924, NRO 2.D.Fasher (A) 59/1/2.

[46]   Governor Darfur note on Pollen correspondence, 8 Sept. 1924, NRO 2.D.Fasher (A) 59/1/2.

[47]   Grigg, Resident Zalingei to Governor Darfur, 1 Jan. 1929, NRO 2.D.Fasher (A) 59/3/8.

[48]   Evans, Resident Dar Masalit to Governor Darfur, 27 Aug 1928, NRO Darfur 3/1/5.

[49]   DPMD January 1931, NRO Darfur 1/26/41.

[50]   DPMD September 1931, TNA FO 867/24. Also see Asiwaju, *Western Yorubaland,* p.147.

[51]   Moore to Governor Darfur, 18 May 1944, TNA FO 867/24.

[52]   Moore, DC NDD to Governor 18 May 1944, NRO 2.D.Fasher (A) 59/3/9.

[53]   Broadbent, Resident Dar Masalit to Governor, 18 Aug. 1931, NRO Darfur 3/1/5.

economics and family affairs directed.'[54] The Zaghawa and Bedyaet were mobile pastoralist populations: it would be impossible to prevent such movement in any case, to some extent determined by the changing availability of grazing grounds and patterns of seasonal migration. But even officials who started out with the intention of rigorously controlling population movement among 'sedentary' peoples soon caved in. Philip Broadbent, a Resident of Dar Masalit in the early 1930s started out by trying to ensure that anybody found in Dar Masalit without a French pass was sent back to Tchad. But by 1933 he wrote to irate French officials that 'after three years of tedious work of chasing refugees I have taken a well earned holiday.' He had also modified his view of migration by then: thousands were bound to cross the border each year, Adre and Geneiena were after all 'economic centres for both grain and labour and sale of cattle.'[55] With such volumes of movement, much of it on 'legitimate' grounds of commerce, it was impossible to control the border with limited resource. And of course, migrants often did provide a very useful source of labour and potentially tax revenue.

In essence then, British officials often abetted the 'unauthorised' utilisation of the Darfur-Tchad boundary as a means of moving out of French jurisdiction. We might be sceptical of drawing too many distinctions between French and British colonial rule: the old cliché of direct versus indirect rule seems particularly moribund. But on the other hand, oral research carried out in ex Anglo-French borderlands has emphasised the local perception that French colonial rule generally placed even heavier burdens on subject populations than British rule.[56] The permeability of the border, and the flow of people eastwards that it allowed, therefore played a key role in the ability of local populations to resist the French colonial state, as they had been able to evade the demands of earlier states in the region. A group of Salamat Arabs who crossed the border into Darfur in 1924 said to an official that they had lived in North Darfur before the reign of Ali Dinar. They had gone to Tchad in a time of conflict between Ali Dinar and the Arabs of Darfur. Now they wished to go 'back to our old home in Darfur' as one survivor put it, as conditions were no longer better in Tchad.[57] The image of the border as conduit is useful here. This border played the crucial role of a social pressure valve for the maintenance of overall social stability: discontent could be 'let off' as and when necessary. And the limits of colonial power meant the British tacitly supported the existence of a relatively permeable border, accommodating the local realities of social fluidity and population mobility.

Kopytoff argues that colonial rule made it easier for the dissatisfied to leave the society they were discontented with than it would have been under the rule of 'mature' large-scale polities, under which category he might include Darfur and Wadai.[58] But while the analysis of this paper has stressed the permeability of the border, colonial powers were still chiefly concerned to freeze African societies in static tribal units, and not to allow the creation of new political or social units. Local

[54]   Moore, DC NDD to Governor 18 May 1944, NRO 2.D.Fasher (A) 59/3/9.
[55]   Broadbent, Resident Dar Masalit to Chef Dar Sila, 1 Apr. 1933, NRO Darfur 3/1/5.
[56]   See Miles, *Hausaland,* and P.Geschiere, *Chiefs and Colonial Rule in Cameroon: Inventing Chieftaincy, French and British Style*, Africa: **63**, 2 (1993), pp. 151- 175
[57]   Unnamed migrant quoted in Statement of MA Effendi Abdel Radi, 8 Mar. 1924, NRO 2.D.Fasher (A) 59/3/7.
[58]   I.Kopytoff, 'The Internal African Frontier: the Making of African Political Culture' in I.Kopytoff (ed.), *The African Frontier: The Reproduction of Traditional African Societies* (Bloomington, 1987), p.48

elite ambitions of creating small, new political units across the border, even as adherents of the colonial state, were therefore negated. Migrants could move into Darfur from Tchad and sometimes the Sudan Government would recognise their leaders as *sheikhs* in order to improve official administrative control. But there is no recorded case where a new *dar* (homeland) or *nazirate* (paramount chieftaincy) was created for incomers into Sudan: they could become part of the community whose *dar* they moved into, but they never gained full rights to land or administrative representation as a separate community on a level with those considered 'native' to Darfur. *Sheikhs* would, at least in theory, be answerable to the local chief whose *dar* they had arrived in. Kopytoff suggests that 'the ideology of colonial rule' precluded the 'incorporation' of frontier migrants as 'clients and adherents' of the state, a process that is argued to be key to pre-colonial social reproduction.[59] But in the Darfur-Chad case, the incorporation of newcomers as clients or adherents of existing political units, (both at the local level of Native Administration and at the level of the colonial state), was exactly what colonial officials encouraged: what became impossible was the formation of new independent units, or the capture of the state by incoming migrant groups. Subordination of newcomers to existing hierarchies was the only way colonial government could imagine dealing with migrants in such large quantities.

So while British officials often (though not always) turned a blind eye to much of the migration that came across borders, they were usually not willing to support the ambitions of disgruntled members of the fronter elite. Having said this, it was surprising how far some political entrepreneurs got. In 1938 Mahmud Harun was deposed as Sultan of the Kabja people in Tchad and fled to Darfur. Officials in Darfur intended to deport him, but he evaded capture and journeyed to Khartoum. He managed to obtain *nahas* (copper drums, essential to the status of a chief) after petitioning both the Legal Secretary and Civil Secretary, and went around 'informing people that he has been authorised by the Governor General to refound his dynasty among the Kabja in Sudan territory.'[60] Attempts by French police to arrest him in 1938 were resisted by Kabja from both sides of the frontier: Mahmud escaped in consequence.[61] He then repeated the feat a year later, arriving in Khartoum clutching his *nahas* much to the annoyance of the Civil Secretary. This time he was deported back to French territory.[62]

On the other hand, those who moved across the border to access the patronage of the British in their disputes with the French administration were not always completely disappointed. For instance, four hundred Heimad Arabs who moved from Tchad to Darfur in 1928, complaining of the behaviour of their sheikh, were sent back, but were accompanied by British officials, who backed their complaints. The Resident of Dar Masalit secured immunity for their return from the French, who also dismissed the sheikh who had precipitated the migration.[63] Later, in 1931, the Wadai Commandant after hearing the views of the British on the state of the local administration, based on the information gleaned from those entering Darfur, agreed that all translators should be transferred every year in order to prevent them forming

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[59]   Ibid., p.52.
[60]   Ingleson to Civil Secretary, 9 March 1938, TNA FO 867/24.
[61]   DPMD March 1938, NRO CIVSEC (1)/57/10/38.
[62]   Civil Secretary to Ingleson, 25 Apr. 1939, TNA FO 867/24.
[63]   Evans, Resident Dar Masalit to Governor, 12 Jan. 1928, NRO Darfur 3/1/5.

corrupt alliances with sheikhs, and eight senior sheikhs were also imprisoned.[64] Enlisting the support of the British could therefore be an effective means of influencing the French, using British administrators as intermediaries in cases where the local sheikh had become a predatory rather than protective intermediary. Direct contact between local populations and French administrators was very difficult, owing to their lack of proficiency in Arabic. The British colonial state, despite its limitations and dangers, could be somewhat more directly influenced, and sometimes might be co-opted into a position of support for migrant communities.

The existence of rival Sultans of the same ethnic group, positioned on opposite sides of the border, also led to the co-option of the colonial states into these local rivalries. We have already discussed the existence of the rival Zaghawa Kobbe Sultans located on either side of the border. The dispute over the wells at Tini, supposedly neutralised by the 1924 settlement that left access to the wells open to both sides, actually continued throughout the colonial period as an expression of the personal rivalry between the two Sultans. This is then also an example of the ways that boundary-making remained a work endlessly in progress throughout the colonial period. By 1942 tensions over the wells, and cultivations around them, were such that administrators on both sides decided to hold a cross-border meeting to defuse the situation. At the outset of this meeting both administrators stressed that the colonial governments were 'in complete accord' and shared ' "Aishethum Wahid" - one way of life.' This was an attempt to project a united front of 'civilisation.' And the meeting apparently did succeed in reducing tensions. But soon afterwards, Sultan Dosa on the Darfur side was once again overstepping what had now been agreed as the cultivation boundary around the lakes. The French wanted Dosa removed from the area altogether. But Dosa knew he could count on British support, despite his provocative behaviour. Moore's personal view was that the French should not be too legalistic in their interpretation of the boundary, that the frontier must not 'become a gulf between the normal affinities of the Kobbe rank and file' and that Dosa had nowhere else to go. Indeed the area round Tini had great 'family association' for the Sultan, as it was 'the place where the tombs of his fathers and brothers lay': it was also the only reliable well centre in his tiny Dar.[65] Disagreement between the British and French revealed the strength of the patron-client relationships that existed between administrators and chiefs which trumped any desire to present a united colonial front. But there were limits to this support. By 1948 Dosa complained to Moore that he had lost many wealthy subjects to his rival across the border. He also claimed that the difficulties of reaching agreement over points at issue in another cross-border meeting of March 1948 should be traced to the French Captain who 'did not want justice but only listened to the talk of his people.'[66] But Moore was unsupportive on the issue of the return of Dosa's subjects: his laisser-faire approach to migration in general applied to this case as well.[67] Interestingly, a chief was keener to enforce European norms of territorial sovereignty than the European administrator himself. But while colonial support was not unlimited, it remained the case that each rival on the Kobbe Sultanate dispute used the support of their respective administrators to maintain their position.

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[64] Broadbent, Resident Dar Masalit to Governor, 22 June 1931, NRO 2.D.Fasher (A) 59/3/8.
[65] Moore, DC NDD to Governor Darfur, 1 May 1946, and Diary of meeting at Tini, 2-5 May 1946, NRO 2.D.Fasher (A) 59/3/9; also de Bunsen, DC NDD to Governor Darfur, 28 July 1948, NRO Darfur Kuttum (A) 44/1/3.
[66] Petition of Sultan Mohammed Dosa to DC NDD, 20 Mar. 1948, NRO 2.D.Fasher (A) 59/3/9.
[67] See Moore as quoted by Lampen, Governor Darfur, 14 Aug. 1948, NRO 2.D.Fasher (A) 59/3/9.

The existence of the border, and more to the point, the multiple hierarchies it created, was therefore key to the political strategies of local elites.

The colonial aspiration to keep order in the borderlands could also be manipulated by local elites. Raiders from French territory often crossed into Darfur: in order to control their activities, overstretched colonial government resorted to arming tribal militias in Northern Darfur. Melik Mohammedein of the Zaghawa, following raids on his people in 1932, appealed in a letter to the District Commissioner of Northern Darfur: 'If my people were armed like them (the raiders), they would leave none of them to escape.'[68] Later that year, Mohammedein led a levy of thirty men on an expedition to find the raiders, accompanied by the DC of Northern Darfur and some police. The expedition did not find the raiders. But Mohammedein milked the occasion for all it was worth: he provided the best camel mounts available for the men and gave them food and water skins. His personal retinue also accompanied the levy of men, and Mohammedein

girded on his "Seif El Nasr" (sword of victory) - a magnificent heirloom - this set the hallmark to the tribal significance of the force, and the chanting of encouragement and praises by the Zaghawa girls formed an irresistible background to concerted action... Oaths of 'death rather than disgrace' were sworn.[69]

The 'intense tribal atmosphere' described by Moore is highly suggestive of how chiefs could benefit politically from state-sponsored efforts to deal with raiders in the borderlands: Mohammedein was able to resurrect the role of *melik* as military leader of his people against outside enemies, a role which colonial government had been keen to suppress in favour of 'Pax Brittanica.' Thus in its efforts to impose order on the frontier, colonial authority was becoming subsumed by local norms which it had tried to disavow. It also anticipated the policies of another Sudan Government in crisis, decades later.

Conclusion

Colonial governments and their African subjects were often at odds in the borderland between Darfur and Tchad. Administrators constantly struggled to suppress smuggling, migration and tax evasion, all ways in which local peoples simultaneously recognised, profited from and subverted colonial boundaries. This extended contestation of state authority was one key process by which the boundary was made into a social and political fact on the ground. But this paper has argued that, to some extent at least, colonial power compromised with local understandings and usages of border space, often in the hope of exercising a modicum of control over local societies. Colonial powers thus participated in the breaking of the boundaries of territorial sovereignty they had themselves set up. And colonial officials were often co-opted into local disputes in order to prove their relevance: they acted as patrons that could be appealed to by both local elites and 'subalterns.' The Chad-Darfur border was therefore not simply a zone where the practices and ideologies of colonial administration ossified complex and fluid societies, or ruptured pre-existing culture units. Colonial administration was incapable of suppressing the local dynamics of cross-border economics and politics, dynamics which often contributed to the local

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[68]   Melik Mohammedein to DC NDD, 30 Mar. 1932, NRO Darfur 5/5/15.
[69]   Moore, DC NDD to Governor Darfur, 6 June 1932, NRO Darfur 5/5/15.

relevance of the border as both a point of separation and a conduit.

This paper has made little reference to cross-border trade, raiding and smuggling, in its emphasis on migration and local political conflicts. But it should be mentioned that frontier chiefs and sultans often benefited directly from involvement in cross-border networks of 'unofficial' trade and raids, often being entitled to a share of resulting profits. Similarly, Darfuri chiefs often benefited from the influx of unauthorised migrants into their territories: they represented sources of 'customary' dues, paid to chiefs in order to gain access to land. Those whom the colonial state relied on the most to enforce border control, and in particular to identify unauthorised migrants and traders (a task beyond the ability of the employees of the colonial state) were thus profiting from the lack of state control along the border. Chiefs themselves then appear to best exemplify the blurred divisions between state and non-state actors in the border region. They were at one level the representatives of the state at a local level: in Darfur the more senior chiefs were salaried servants of the government. But at another level, they pursued private interests which were hidden from the *hakuma* (government), and created systems of regulation which operated at what Raeymaekers and Jourdan call the 'imaginary dividing line between the formal and the informal.'[70] For many years, Sultan Idris of Dar Gimr 'was intercepting a camel route and charging dues on camels' as they crossed the border between Tchad and Darfur.[71] This was a regulatory system that remained outside the eye of the colonial state for a considerable time, but which nonetheless was more than merely 'informal': it was a distinctive frontier institution.

In short then, colonial boundaries and authority in the borderlands were an example of the 'hybridity' and 'creolisation' inherent in the practice of colonial governance.[72] European and African practices and ideas of authority interacted to produce a new, but unstable, form of border governance. Nugent argues convincingly for the "joint construction of a new complex of power relations at the Ghana-Togo border, arising out of the capillary actions of many different players" in the colonial period; as with much of Nugent's thinking, this statement can be applied well to the Darfur-FEA borderland.[73] Moreover, authority in the borderland was never stabilised or fixed in a single form: it consisted of an unstable and endless process of both coercion and negotiation between state and non-state actors, between elites (European and African) and 'subalterns', and between rival chiefs, eager to maximise their own power in a hotly contested zone. None of these interactions were entirely new and in this sense, the long-term continuities of border life appear more significant than the changes brought about colonialism. The existence of borders between states was a well established fact for local populations, and the colonial state, as distant as it might have seemed in many ways, was part of a recognisable continuum of external forces attempting to dominate an unstable borderland. And it was a force which could be manipulated in accordance with local objectives. This offers cold comfort to those attempting to stabilise this frontier zone in the present-day, which has recently become the site of such extreme human suffering. But neither should we assume the

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[70]   T Raeymaekers and L Jordan 'Economic opportunities and local governance on an African frontier: the case of the Semliki Basin', *Journal of Eastern African Studies* **3**, 2 (2009)
[71]   Acting Resident Dar Masalit to Governor Darfur, 25 Oct. 1929, NRO Darfur 3/1/5.
[72]   J. Willis, '*Hukm:* The Creolisation of Authority in Condominium Sudan'*, Journal of African History* **46** (2005), pp.29-50; H.Bhaba, *The Location of Culture* (London, 1994)
[73]   Nugent, *Smugglers,* p.113.

state to be a meaningless or powerless entity in what are often termed 'ungovernable' border zones: it might play an important role in its interactions with local elites in particular, and remain an important patron for local disputants. The capacity of present-day borderland actors to appeal to rival states to support them in their own conflicts is undiminished: indeed it has developed to a level that has destabilised the national politics of both Sudan and Chad. And 'ungovernability' is of course very much in the eye of the beholder. To some extent, the negotiability of relationships between state and local elites in the colonial period, and the relevance of the state to borderland politics, suggests a form of state power based on consent as much as coercion. We may perceive the colonial state to have been weak on its borders: it could not simply impose its will by force, and lacked the capacity to 'capture' local populations, with very limited knowledge of those it claimed to govern. Yet to some extent the state adapted to local conditions and it remained an important actor in local politics: its weakness was key to its malleability, and thus paradoxically provided it with some level of local legitimacy.

The Neo-tribal Competitive Order in the Borderland of Egypt and Libya

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Summary

The political setting in the borderland of Egypt and Libya can be described as an interlacement of state and non-state forms of political organisation and conceptions of order. The process of interlacement creates innovations and leads to the neo-tribal competitive order. At the core of this order, Bedouin associations of the *Aulad Ali* tribes compete for political dominance and the appropriation of the state and thus generate new political ideas, institutions and practices. The borderland seems to foster these processes by offering specific political and economic opportunities. The investigation of these processes offers a perspective on processes of reshaping statehood in North Africa that are far beyond the notion of failing states.

Introduction

Colonial expansion and the subsequent global implementation of statehood seemed to support the idea of evolutionists and scholars of the theory of systems that the modern bureaucratic state of western origin is the inevitable model of political organisation for human societies. Since the end of the Cold War, the crisis and the factual erosion of the state in the former USSR and Africa initiated a debate on the transformation of statehood. Apart from generalisations such as "weak" or "failing" states, transformations of statehood are nowadays labelled with numerous additional attributes, such as "network state" (Züricher/Koehler 2001), a term referring to interconnections between the state and networks of non-state actors, or "cunning states" (Randeria 2003), describing weak states that rely on development cooperation and international aid to survive.

In the last two decades, Africa has experienced dramatic changes resulting in new social and political settings almost everywhere in the continent. The end of the apartheid regime in South Africa, multi-party democracy in Tanzania and Benin, the achievement of peace in Mozambique and Angola, civil wars in Somalia, Congo, Liberia and Sierra Leone, the Rwanda genocide and the regionalisation of conflicts are a few well-known, examples of a political setting which is becoming more and more heterogeneous. These processes have not only chased many of Africa's military or dictatorial regimes away, but have also fragmented organised state structures and administration or have even caused them to collapse. These changes are sometimes explained as part of global change: a result of the end of the Cold War and the breakdown of the Socialist Block. At other times, specific African causes are put forward. Africa, however, nowadays serves as a particularly powerful symbol of state failure. In Africa, the crisis of statehood seems to be deeper than anywhere else in the world. Significantly, the attributes used to qualify resulting structures of the African state have been consistently negative: "failing", "failed",

"weak", "soft", "incomplete", "collapsed", "greedy", or "criminal", are some of them (Bayart 1989, Bayart / Ellis / Hibou 1999, Fatton 1992, Chabal / Daloz 1999). The term 'heterarchy', as opposed to hierarchy, seems appropriate to describe resulting differentiated distributions of power-foci in many African countries (Chabal / Feinman / Skalnik 2004; Bodarenko / Grinin / Korotayev 2004).

During the same period regional or transnational political actors emerged (Copans 2003) who attempted to, and sometimes even succeeded in, expropriating state sovereignty and administration through processes of informal 'privatisation' (Klute / Trotha 2004). Some of the new actors on the complex African political scene seem to be well known "old fellows": chieftaincies and so-called traditional authorities are now reappearing on the regional and national political stage (Oomen 2002; Van Rouveroy 1994). Some political actors, however, wear new faces. These new actors include ethnic militia, economic and military entrepreneurs, transnational smugglers, and last but not least, agents in international organisations of development aid or conflict management.

Nevertheless, the central reference of thought and consideration remains the state. Political organisation beside or beyond the state is predominantly perceived as deviant development, and not as independent political organisation. This is particularly true for the discussion on the reconstruction of statehood in Africa (Tetzlaff / Jacobeit 2005). As a consequence, current debates on non-state groups and formations focus on the "informalisation" or the "re-traditionalisation" of politics in Africa (Chabal / Dalosz 1999; Kassimir 2001), portraying non-state actors as competitors and opponents of the state.

Looking at the way political anthropology is dealing with the transformation of statehood in Africa, one can distinguish three lines of thought. The first perspective is dedicated to local case studies: Bierschenk (1999) analyses the political arena and its actors in the African city of Parakou in Benin and thus illustrates how the command state (Elwert 2001) operates behind the facade of modern statehood on the basis of clientelism, corruption, and the appropriation of development aid. The second school focuses on African chieftainship and segmentary models of tribal organisation; it tries to integrate a historical perspective that aims at the analysis of continuities and innovations of these modes of political organisation within new contexts and settings (Spear 2003). This school was able to demonstrate how chieftainship in Africa was institutionalised as "administrative chieftainship" (Beck 1989, Trotha 1997, Alber 2000) within the intermediary rule of the colonial state. The historical depth of the analysis reveals the continuity and inventiveness of "neo-traditional" chieftaincy. Contemporary chieftaincies seem

to operate within the context of modern statehood as well as in the sphere of tradition. Chiefs show competence in both spheres of political organisation, and are thus able to succeed as political entrepreneurs on local or regional levels, and even become part of the political elite of the state (Lentz 2000). Skalnik (2002) shows that chiefs, particularly in times of transformation, successfully turned peoples' feelings of uncertainty into support for themselves by combining chieftaincy with notions of security and trust. We do not yet know whether the renaissance of chieftaincy in Africa is merely a substitute for weak or incomplete statehood doomed to disappear as soon as the state recovers, or whether it indicates the emergence of non-state modes of political organisation and rule (Skalnik 2004).

In North Africa, the interrelationship between states and tribes is discussed in ways that go beyond the perspective of antagonism and conflict (Khoury / Kostiner 1990). Although tribes played a significant role in the creation of Islamic empires, they also dominated, at various times, vast areas that did not come under effective Islamic imperial authority. From the middle of the nineteenth century, tribal groups were incorporated, at different speeds and in varying degrees, into the modern states that evolved at that time. Tribes, however, did not necessarily cease to exist because states were formed. In fact, it was not uncommon in the process of state formation for tribes to be encouraged to reach an agreement with state authority in order to preserve their autonomy. In other cases, new tribes emerged that did not organize themselves on the basis of ethnicity and kinship, but on the basis of other, more dynamic loyalties (Anderson 1990, Hüsken / Roenpage 1998). This perspective is in sharp contrast to "traditional" contributions which promote the paradigm of antagonism and conflict between state and tribe (Scholz 1991). The political reality in North Africa thus seems to be characterised by varying degrees of interlacement between states and tribes, joined by a number of new groups and formations that evolved in recent years. Today, tribal networks or formations with tribal backgrounds and resources dominate the military and security apparatus in Libya (Obeidi 2002). They have successfully appropriated state functions in southern Algeria and even established parastates in the north of Mali. The interlacement of tribe and state either appears as division of labour between both parties, as a process in which the state is colonised by tribesmen, or as privatisation and appropriation of sovereign rights and central tasks of the state. Thus it is obvious that the Leviathan has still not managed to overwhelm non-state forms of local power. Interlacement can also be understood as a dynamic process of transformation and innovation challenging and changing existing conceptions and models of order.

A third perspective in political anthropology focuses on the emergence of local, non-state forms of power and their interlacement with the state. This perspective does also include a historical dimension: it explores the cultural construction of peripheries within states (Das / Pool 2004) and emerging forms of power and domination. However, the crisis of the state in Africa seems to alter the spaces for manoeuvre for non-state political actors, enabling them to succeed with their conceptions of order against, parallel to, or in interlacement with, the state (Lebeau et al. 2003). One of the best-known examples in this respect is the interlacement of non-state conceptions of order and models of statehood in Somaliland. Here, the interlacement of non-state actors and what has been called a failing state has led to a "neo-segmentary order" (Heyer 1997, Trotha 2005) that nevertheless continues to present itself as a state.

Klute and Trotha have introduced the conceptions of "para-statehood" and "para-sovereignty" (Klute 1998; Trotha 2000, Trotha / Klute 2001) in order to explain the particular situation of a chieftaincy in Mali. They describe the relationship between the para-state and the central state of Mali as a conflictive process in which local actors appropriate rights and functions of the state, thus transforming statehood in Mali into a heterarchical setting. The conceptions of para-statehood and para-sovereignty were recently adapted to alter the perspective on failing states by drawing attention not to the weakness of the state, but to the strength and vitality of local forms of power (Hauck 2004). Another perspective uses the approach to focus on the takeover of central functions of the state by development organisations. This does not only induce processes of the erosion of the state's legitimacy (Neubert 1997), but can also lead to a "para-sovereign rule of development" (Klute / Trotha 1999). Since most of the studies mentioned refer to post-conflict situations, it seems quite reasonable to ask whether the emergence of local power is necessarily bound to conflict, civil war or post-war settings. Looking at the *Aulad Ali* tribes, we will discover that this is not the case.

The importance of African border zones as 'productive sites' is increasingly recognised within Africanist research communities. Igor Kopytoff (1987) argued that the institutional viability of border zones is dependant upon their more or less distant metropoles. Today, however, the attention of scholars is drawn to the potential of border zones to shape and define the centre. Recent studies on the borderlands between Namibia and Angola (Dobler 2007) and Namibia and Zambia (Zeller 2007) reveal significant processes of economic growth. An important focus of study within this context is the ways in which state structures and border inhabitants jointly shape the border experience (Nugent 2007). In addition to this, the political realities in peripheries and borderlands of many post-colonial states in Africa seem to challenge state

conceptions of sovereignty, territoriality and citizenship (Hüsken / Klute 2008). Thus borderlands can be regarded as spheres where historical and contemporary forms of non-state politics and networks are hardly regulated or controlled by national or international regimes, and where opportunities for non-state political actors are manifold.

My contribution will start with a brief overview about the society of the *Aulad Ali* Bedouin, the respective literature and its central arguments. Then I will turn over to the empirical material [1] as follows: In the chapter "Neo-tribal Competitive Order" I will introduce the contemporary mode of political organisation in the borderland. The prefix "neo" underlines that we are dealing with innovative practices and ideas. Directly connected to this introduction is the examination of political leaders, who create and shape a great deal of this order. These leaders will be discussed in the chapter "Pioneers, Political Entrepreneurs and Preachers". Subsequently the chapter "Innovative Practices, Travelling Models, Public Spaces and Media" will deal with innovative political processes in the borderland. Here the particular role of development projects on the Egyptian side of the border will be emphasised; party-membership and elections will be adressed and the role of global television and local magazines will be analysed. The chapter "Competitive Legal Pluralism" introduces a variant of legal pluralism which is at stake in the borderland. The chapter "Borders and Borderland" looks at the economical, political and cultural aspects of the borderland. The article closes with and some theoretical ideas on local power and domination in North-Africa.

1. The Aulad Ali in the Borderland of Egypt and Libya

The territory of the *Aulad Ali* tribes stretches along the Mediterranean coast from Al-Hamam in Egypt to Tobruk in Libya. Approximately 400,000 *Aulad Ali* live in Egypt and around 100,000 in Libya. The *Aulad Ali* represent the majority (85 percent) of the population in the Egyptian governorate of Matruh. Nevertheless, they are confronted with a state that is dominated by Egyptians from the Nile Valley. The international border between Egypt and Libya offers opportunities for trade, smuggling and labour migration, particularly in the oil industry, but also in construction and in agriculture. The Egyptian state tries to appease the Bedouin population by investments in infrastructure, the channelling of international development aid and, more recently, by a loose and tolerant border regime that allows for various forms of legal and illegal

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1 The transliteration of Arabic names and terns is simplified. Arabic is displayed in italicized letters. The names of cities, landscapes and places follow international maps. *Qahira* is replaced by the Cairo, instead of *Masr,* Egypt is used. There letters *Ayn* and *Hamza* are not distinguished and also not marked by special letters. The names of well known personalities are written according to the English fashion. All Arabic citations are translated into English by the author. I want to thank Daniel Rolf and Farrida Jawad for the editing and proof reading of the text.

transactions. Libya, on the other hand, is almost entirely populated by tribal groups. Here, the transborder trade to Egypt offers advantages that can be mobilised by the *Aulad Ali* in their relations with other tribes and the state. In both cases, the borderland provides a specific form of mobility that allows the *Aulad Ali* to escape the domination of the state by crossing the border.

The *Aulad Ali* Bedouins are not unknown to social anthropology and anthropogeography. However, the most recent empirical studies were conducted some years ago, among them the study of Müller-Mahn (1989), the analysis of a Bedouin economy by Hüsken and Roenpage (1998) and the seminal work of Rusch and Stein (1988). In addition, there is Obermeyer's study on changing patterns of Bedouin leadership (1973), Cole and Al-Tourki's study (1998) on labour, tourism, and economy and, of course, Lila Abu-Lughod's popular "Veiled Sentiments" (1987). The relationship between states and tribes is described quite differently in the books quoted above. Based on "Segmentary Theory", Müller-Mahn tends to identify general antagonisms between state and tribes. Modernization (and state formation) is seen as a process in which the tribe is infiltrated, marginalised and assimilated by the state. In contrast, Hüsken and Roenpage (1998) - following the tradition of Marx (1978), Salzmann (1980), and Eickelman (1989) – emphasize processes of innovation, inventiveness and persistence in their analysis of Bedouin political organisation and politicians. In their point of view, nomadic tradition serves as a resource for the formation of we-group identities (Hobsbawm/ Ranger 1976, Barth 1969), which are used to shape and organize change and transition. Thus we cannot speak of a general process in which local tribal structures are overpowered by the modern state. In accordance with the argument of Khoury / Kostiner (1990), the Aulad Ali too have played an active role in the context of state formation in Libya and Egypt. In addition, they have created a distinctively specific variant of political organisation.

2. *The Neo-tribal Competitive Order*

The recent political situation in the borderland of Egypt and Libya has been shaped by the genesis of an ethno-political movement of the *Aulad Ali* Bedouin that contradicts prevalent ideas about the decline of tribal societies. At the same time, it questions the image of dependent African peripheries established by Igor Kopytoff (1987). This movement is created and promoted by a multiplicity of Bedouin groups, which I call neo-tribal associations. The movement is not a cohesive formation but rather a heterogeneous one. A dynamic competition for political influence and economic success exists between the associations, and their relations

with the respective states are also characterized by this competition.[2] Thus we find political strategies that vary between interlacement with and appropriation of the state. The result of these interactions is a specific order of non-state and state that I call the neo-tribal competitive order[3]. At the core of this order we find new political ideas, institutions and practices that are related to the process of appropriation.

Failed or weak statehood is often taken as a precondition for the emergence of non-state forms of power and domination. In the case of Egypt and Libya, this paradigm is not applicable. Thus different aspects are of interest. The Egyptian state is comparatively stable and capable of acting. It provides its citizens with basic services, has the monopoly of violence, and controls its territory. It knows the principle of the division of powers and possesses a constitution. In the past, the Egyptian state was often portrayed as a neo-patrimonial political system allowing for a certain form of pluralism under the coercive control of the state. More recent studies ((Kienle 2001, Hüsken 2006, Demmelhuber / Roll 2007) point to a regime of competing and cooperating networks, which have successfully privatized the state. These networks –among them the old and new neoliberal elites and particularly the extended neo-royal family of President Hosni Mubarak – use the state for the legal and illegal appropriation of material resources and the accumulation of power. State institutions and agencies are pervaded by informal networks and robe teams. Although the development of competent policies is often hindered by the struggle for power (Weiss 1994), the state apparatus remains intact and is furthermore stabilised by development revenues. The peripheries and border regions of Egypt are traditionally ruled by military governors loyal to Mubarak. The interesting point here is not the weakness or ill-functioning of the state, but the interlacement of an already informalised state with local power groups and the emergence of new agents and institutions.

Libya's political system and ideology seems to be shaped by a cross between nationalism and egalitarianism with Muammar Al-Gaddafi as revolutionary charismatic leader (Anderson 1990). Among the few recent studies at our disposal is Obeidi's "Political Culture in Libya" (2001), which states that informality and vagueness are characteristics of the regime and strategic means of politics. Though Gaddafi's nationalism does contain notions of territoriality and nationhood, it has never favoured the concept of the modern bureaucratic state. In his "Green Book" (released

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[2] In Egypt, the competition among the associations is taking place within the tribal framework of the *Aulad Ali.* In Libya, the competition also includes other tribes and their respective associations.
[3] The term corresponds with Heyer's (1997) notion of the "neosegmentary order".

in three volumes during the 1970s), Gaddafi advocates a diffuse ideology of socialism and egalitarianism that portrays the nation as a big tribe rather than a society organised and structured by the state. The regime decreed the abolition of the tribe as a legal unit and reorganised local administrative structures according to the interests of Gaddafi, explicitly replacing "tribal politicians" by followers of the revolution. The reform dismissed those governors, mayors and deputy majors who were tribal sheikhs or notables. However already in the 1970s, Gaddaffi had to stop this policy. Instead a non state focus of power successively emerged, dominated by members and associations of the *Qadadfa* – Gaddafi's tribe. Nowadays, neo-tribal associations loyal to Gaddafi and his family dominate and control a significant part of the ministries, the police and the secret services. Other groups, such as the neotribal networks of the *Obaidat,* have appropriated the military apparatus in Libya's "Wild East", Cyrenaica. The tribes, it seems, are stepping out of the "shadow of the state" (Beck 1989). Nevertheless the Libyan state also remains capable of action. Recent studies in political science have called the connection between charismatic leadership, family-dynasty and democratic elements a "hybrid regime" (Diamond 2002). Although the role of tribes is often addressed, a detailed analysis is absent. However, the consensus seems to be that tribes contribute to the "primordialisation of politics" (Werenfels 2008:13) in Libya. At times, one also finds authors who portray tribes as a "general obstacle to development" (Al-Kikhia 1997).

3. Associations, Pioneers, Political Entrepreneurs and Preachers

The central actors in my field of study are represented by the neo-tribal associations and their leaders. The size and political weight of these associations varies significantly. These factors depend on their social resources and even more on the skill of their leading figures.[4] The Bedouin use the Arabic term *Aila* (Lineage) to identify the neo-tribal associations. However, this emic typology is not very accurate. Although the core of the associations is based on close kinship relations, they are not necessarily congruent with lineages or clans. The relevance of relations that go beyond kinship and even beyond the tribal society are also increasing and the principle of kinship is therefore modulated to integrate different groups and interests. Thus the associations refer to the tribal tradition – in order to produce legitimacy – but they are not a functional element of the structure tribe, clan, lineage as stated by the classical segmentary theory (Evans-Pritchard 1973). In the case of associations, which have currently evolved around Islamic preachers, the tribal reference is left behind in favour of a religious logic. Regarding this

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[4] I am currently working with four associations. The smallest comprises around fifty men. The largest consists of 500 men.

background I find the term neo-tribal association accurate. This does not mean that inter-tribal networking or the integration of strangers has been unknown to tribal societies. Both are discussed in the seminal studies on the Bedouin of the Cyrenaica by Peters (1990) and also documented concerning the *Aulad Ali* (Hüsken / Roenpage 1998). Nevertheless the recent processes of group formation and the respective political practices go significantly beyond the exsisting research findings. The associations are led by dominant personalities. One can distinguish these leaders by generation and function as "Pioneers" and "Politcal Entrepreneurs".[5] A particular group is represented by politically active.mams, who are labelled as "Preachers". The pioneers consist of Bedouin leaders who chose to place land under cultivation and to sedentarise in the late 1940s. These personalities are now around 70 to 90 years old. As *Awaqil* (wise men) they act as the symbolic heads of economically and politically successful associations. The accomplishments of these leaders' careers are due to a number of factors: the ability to anticipate social change and make decisions at the right time, and perhaps even more importantly, the ability to implement these decisions despite resistence from opposing groups. As important was the occupation of intermediate postions between tribe and state such as *Sheikh* (tribal leader) and *Umdah* (village representative) but also as members in regional and national parliaments and assemblies (Hüsken/Roenpage 1998). In the Libyan monarchy Bedouin notables and tribal leaders held an important position as consultants of the king. Here they were crucial for the implementation of policies on the regional and local level. Another important aspect in the lives and careers of the pioneers was their role as *Mardi* (conflict mediator), a position based on intimate knowledge of *Urf* (Bedouin customary law)..Succesful conflict mediation generated significant social prestige that could also be mobilised in the political field.

At times these intermediate positions were interpreted as state strategies to infiltrate and dissolve tribal structures of the *Aulad Ali* (Müller–Mahn 1989). However, this perception does not correspond with the emic historical perspective of the pioneers, and it is also not supported by my studies. On the contrary, the intermediate rule of the pioneers has improved the economic status of the Bedouin through the appropriation of state assistance and international development aid. Furthermore, the pioneers succesfully protected internal Bedouin politics against the interventions of the state and weathered the anti-tribal policies of the early years of Gaddafi's

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[5] The term pioneer is not an emic expression. The Bedouin use terms like *Al-Umdah* (representative of a village), *Sheikh* (tribal leader) or *Aqla* (wise man) to honour these men and their achievements. Nevertheless the term pioneer seems appropriate to me, because the majority of these men did something innovative and new (such as sedentarization and farming) for the first time. The term political entrepreneur was also chosen by me. It is related to the type of the "development-broker" introduced by Thomas Bierschenk (1998). The development-broker acts in an intermediate position between development projects and the local population. The political entrepreneur however also acts beyond the world of development. In fact they organize the entire process of interlacement with and the appropriation of the state. The notion of entrepreneurship reflects the mixture of political and economical goals and the competitive character of these actors. On the other hand the term underlines their inventiveness and their creative potential in the sense of Schumpeters political understanding of the entrepeneur.

rule. Even Gaddaffi's recent practice of personally appointing loyal tribal leaders should not be misunderstood as a political one-way street that only serves the dictator. In fact it expresses the deep interdependency between state and not-state that is typical of neo-tribal comptetive order in Libya.[6] The persistance and success of the pioneers has laid the cornerstone for the current vitality of the neo-tribal order.

Today, the political entrepreneurs dominate the political arena. Most of them are "sons of the pioneers" and thus represent the sucessful reproduction of intermediate rule. They represent the current neo-tribal political elite of the borderland. The political entrepreneurs in Egypt have benefited from the state-driven education policies initiated by Gamal Abdel Nasser in the years between 1950 and 1970.[7] Unlike their fathers, they graduated from schools and universities. We are in fact talking about cognitively and intellectually profound actors, who reveal their agency within the neo-tribal competitive order. However, the political entrepreneurs do no rule in an authoritarian sense and they do not command means of coercive power. Their claim to leadership is also not automatically provided by the tribal system.[8] On the contrary, these leaders have to negotiate and to achieve their claims. A particularly crucial moment here is the creation of new practices and institutions. In these institutions tribal, statal, party political, development political and entrepreneurial ideas and patterns of action are turned into a new mode that regulates the political relations and processes in the borderland and beyond. They generate order within associations as well as between different groups of the *Aulad Ali* and moderate relations with other tribes in Libya and Egypt. In addition, they are applied in transnational conflict regulation on the basis of customary law. The emerging institutions organize and structure interaction with states, political parties, private companies and development projects. However, the novelty of these arrangements often comes at the cost of their embeddedness in local culture. Their legitimacy is thus bound to their success and effectiveness and to lesser degree connected to traditional tribal ideas.

The role of the associations is crucial to the political entrepreneurs - the associations represent their most important social, political and economical resource. The internal structure of the

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[6] See Davies (1987).

[7] It is interesting to notice that this is also partly true for the Libyan side. Here the export of the Egyptian model served as form of inter-Arab development cooperation. In the respective years thousands of Egyptian engineers, scientists and teachers contributed to the development of Libya (and many other Arab nations).

[8] The notion of *Asabiyya* (tribal solidarity, we-group-feeling) is often attributed to tribal societies and goes back to the argument of Ibn Khaldun in his *Muqadima*. Nowadays, political leaders and associations cannot rely on such tribal solidarity. This is particularly true for associations which have the character of political and economic alliances between actors who are only remotely or not at all related.

associations is only rhetorically consistent with the egalitarian principles of tribal ideology. In fact, a limited number of three to five men of an extended family manage an association. These men usually establish a specific division of labour according to their skills and ambitions. The political entrepreneur organises this process and represents the leading circle, while the loyalty of those outside of the inner circle is achieved and honoured by services. The interactions between the leading figures and the "rest of the association" can take the character of patron-client relations; the latter is at least symbolically moderated by the cultural preference for the independence and autonomy of the Bedouin man.

However, there is a clear tendency among the associations to avoid traditional obligations and to pursue strategies of power accumulation. One of the results of these practices is the rising asymmetries within a society, which has often been attributed as egalitarian (Hüsken / Roenpage 1998). In intimate conversations among friends the term *Shabaka* (network) is often used to denote the associations. This term carries a negative connotation of particularism and political dealing and is not applied in public discussions or political arenas such as regional parliaments and people congresses. The strategic modulation of kinship is obviously taking place but its legitimacy is disputed. Political practice is still contested by the cultural constructs of tribe and kinship as normative and moral models. Local debates are influenced by this discrepancy. The claim for *Adala* (Justice) and *Gadiyya* (Earnestness) characterise this controversy as well as the notion of politics *Taht it-Tarabeeza* (Under the table) or the allegation of *Fasad* (Corruption). Interestingly, this debate is an internal one that refers to Bedouin groups and actors and is not attributed to the state.

Islamic preachers have become increasingly important for the political processes in the borderland, particularly in the field of conflict mediation. They criticise the neo-tribal associations as well as the state and promote themselves as an Islamic alternative. A politicised form of Islam, with preachers who articulate a moral and socio-political claim for leadership and comply or are even connected with other Islamic movements in the Arab world, is a relatively new phenomenon in the borderland.[9] Today, active preachers practise in almost every bigger settlement or city such as Marsa Matruh, Sidi Barani, Al-Alamein, Saloum and Tobruk. Besides their religious and social activities, Islamic conflict mediation on the basis of the *Sharia* has become a particular domain of their engagement. Whilst on the Egyptian side this process

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[9] The first activities of this movement in Egypt occured in the late 1980s, when followers of the Islamic preachers destroyed the shrines of holy sheikhs.

evolves without any significant interference on the part of the state, preachers are faced with severe repression by the state and its secret police in Libya. In my current studies I am dealing with the preachers *Sheikh Mohammad* and *Sheikh Osman*. *Sheikh Mohammad*, who is around sixty years old, is an Egyptian from the Nile valley who was educated at the *Al-Azhar* University in Cairo. *Sheikh Osman*, who is around 45 years old, is a Bedouin of the *Aulad Ali*, who has been trained as a preacher in Saudi Arabia. While *Sheikh Mohammad* as an Egyptian has no tribal affiliation, *Sheikh Mohammad* has the backing of a a neo-tribal association. However, both preachers are promoting an Islamic approach that explicitly attacks the ruthless competition of neo-tribal associations. The majority of their followers belong to the landless urban bedouin population. Here, younger Bedouin men between 20 and 35 years, who are just or not yet married, offer them a particularly devoted allegiance. Nevertheless, representatives of the Bedouin middle classes are also to be found among the clients of the preachers. All these people have manifold tribal and neo-tribal backgrounds. However, the anti-tribalistic rhetoric of the preachers fuels meets the self-perception of their followers as victims of the dealings of powerfull associations. Thus the preachers and their followers constitute post-tribal, socio-religious associations in the borderland.

The mosque is the institutional and cultural centre of these associations. It serves as the *Sharia*-court but also hosts numerous religious and spiritual, social and political comunicative processes. Whereas the disciples of the preachers are active in small local mosques, the prominent preachers such as *Sheikh Osman* travel throughout the borderland to promote their ideas among the *Aulad Ali* and other tribesmen in Egypt and Libya. On the one hand, the sermons resemble the criticism of Israel, the US and the West that is widespread in the Arab world. On the other hand, the sermons establish discourses on dignity and morals that refer to ideas of a "real" and "true" Islam. They are postioned against competeting local practices such as the clientelism of the neo-tribal associations, social and economic injustice and the un-Islamic character of the states and regimes in Egypt and Libya. The activities of the preachers have significantly changed the ideas of Islam and the religious practices of the *Aulad Ali*.[10] A preacher like *Sheikh Osman*, who annually travels to Saudi Arabia to receive religious advice and training, stands for the globalisation of specific Islamic ways of thought and practice that reach into the peripheries and

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[10] This is true for Sufism, which is today totally rejected among the *Aulad Ali* in Egypt, and particularly so for various pre-Islamic practices and beliefs such as magic, healing and the cult surrounding the shrines of holy men. Even harmless aspects of Bedouin folklore such as music and dancing at weddings is nowadays considered un-Islamic. In Libya, where the activities of the preachers are hindered by the state, most of these practices still exsist.

effectivly change religious, political and cultural modes. [11] Thus the preachers pluralise und dynamise the political landscape of the borderland by acting as producers of Islamic ideas and concepts but also as competitors for followers.

4. Innovative Practices, Travelling Models, Public Spaces and Media

The political order in the borderland is a specific mixture of state and not-state that is characterised by competition and the emergence of new ideas and practices. In Egypt, international development projects play an important role within this context, particularly through the export and promotion of "travelling models" [12] which have influenced local political ideas in specific ways. There is a certain reservation among Western scholars with regard to applying the conception of the public space[13] to Muslim societies, and even more so to tribal Muslim societies. The debate about the genesis of new forms of media publics such as Arab satellite channels like *Al-Jezira* has certainly initiated some reassessments, but the existence and at times also the opportunity for public space free of domination are questioned. In their book on "Muslim Publics" (2004) Eickelman and Salvatore argue that a concept of public space solely related to civil society in the West does little to explain the ongoing processes in the Arab world. Instead, the authors identify a multiplicity of public spaces as typical for Arab societies. In spite of their multiplicity these public spaces nevertheless carry a significant socio-political effectiveness. In the following chapters, several examples of innovative practices and travelling models will be introduced and discussed. The role and character of public spaces will be integrated in these chapters. A particular attention is dedicated to global and local media.

Innovative Practices and Travelling Models

At first sight, the political entrepreneurs seem to act in multiple spheres and arenas that all follow a specific logic and carry distinctive practices. As *Sheikhs*, they are tribal leader and office bearer of the state at the same time. They operate within local, regional and national parliaments (Egypt) and basis- and people congresses (Libya). Whereas in Egypt the intermediate representation of Bedouin vis-à-vis the state is still predominant, the Libyan political

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[11] This phenomenon is accompanied by concrete material investment such as the construction and financing of mosques and religious centres in the borderland by a variety of groups from the Gulf region.

[12] I use the term "travelling model' according to Reina (2007). A travelling model is a procedural plan and practice to identify and solve problems. Typically one finds these models in the world of development, where a certain plan is designed and fabricated in development think tanks and then exported and applied in other places. See also the research project managed by Richard Rottenburg "Travelling Models in Conflict Management. A comparative research and network building project in six African countries (Chad, Ethiopia, Liberia, Sierra Leone, South Africa and Sudan)" which analyses the local adaptation/appropriation of Western models in conflict resolution applied in development. The hypothesis of the project is that generalised models about conflicts produced in the West and exported to the South shape local discourses and courses of action.

[13] According to Habermas (1990) the public space is a medium in which the claims of the citizen are turned into public interests that evolve into governmental rules and law through the channel of parliaments. Thus it is the central momentum of the democratic rule of law in Western civil society.

entrepreneurs literally are the state as they function as leading public servants, heads of revolutionary committees, police officers, military generals, etc. Nevertheless, they are also part of a neo-tribal political system. Some authors have described these interlacements as starting points for the infiltration of the tribes by the state (Müller-Mahn 1989). At the end of this process the annulment of the tribes and their full integration into the modern postcolonial state was predicted. In contrast, other contributions (Hüsken /Roenpage 1998) have highlighted the persistence of the local tribal actors and in particular their flexibility and inventiveness in dealing with the state. However, recent political developments among the *Aulad Ali* reach far beyond the horizon of this debate.

Working in the above-mentioned non-tribal contexts and functions contains the confrontation with logics and practices that are oriented along globalised models of rational bureaucratic organisation and statehood in the sense of Weber. The "fact setting force" (Popitz 1992) of these logics and routines is significant. They discipline political discourse and political practice in an explicitly non-tribal direction. The answer of the Bedouin actors is the appropriation of the state apparatus, the parliaments, the people congresses and in the case of Egypt also the political parties. We are certainly dealing with ongoing dynamic and at times also contradictory processes which do not follow any kind of teleology. Thus, appropriation can also mean assimilation, adaptation and even camouflage. [14] However, we are not dealing with a one-way tribalisation or "privatisation" of the state (Klute / Trotha 2004). In fact, my studies show a transformation process that changes the tribe as well as the state and induces innovations. This is where we can find the elementary character of the neo-tribal competitive order: the interlacement of tribe and state leads to innovative political forms. [15] These innovations affect actors such as the political entrepreneurs, the neo-tribal associations and the state. They also affect the political logic, practices and structures in the borderland.

A typical example of these processes is the political entrepreneur Abdallah. Abdallah is the first secretary of the *Hizb Al-Watani Al-Democrati,* the National Democratic Party of Egypt (NDP) in the governorate of Matruh. His position was formerly not accessible for Bedouin. In addition Abdallah is a *Sheikh* of a sub-tribe of the *Aulad Ali* and is consequently legitimised by both the

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[14] I use the terms assimilation, adaptation and camouflage according to the definition given by the German Anthropological Association. Assimilation refers to the selective adoption of cultural imports in which the adopted ideas or things are adapted to customary ways of life and accorded alternating meanings. Adaptation to dominant orders results in a break with a group's own traditions. Camouflage highlights a strategy in which external demands are only apparently complied with, so that actors can secure sufficient latitude to pursue traditional goals.

[15] Lundt (2006) uses the term "twilight institutions" to characterise similar processes.

tribe and the state. *In Al-Majlis Ash-Shaabi Al-Mahalli Li Muhafazit Matruh*, the parliament of the governorate, Abdallah serves as elected member and deputy president. His portfolio is accomplished by his activities as a development broker for several projects[16] and his operations in buying and selling land. Besides these partly intermediate and partly new positions, Abdallah acts as a renowned *Mardi* (conflict mediator) on the basis of Bedouin customary law or *Urf* in Egypt and Libya.

The nucleus of all these functions and activities is not a "romantic traditional place", such as the Bedouin tent or the men's and guests' room of the Bedouin house. On the contrary, it is situated in the newly renovated NDP headquarters in the city centre of Marsa Matruh in sight of the governor's office and the complex of the security forces including the secret police. The NDP headquarters is a busy place with a constant stream of Bedouin, Egyptian public servants and party functionaries flowing in and out. Usually several men from a variety of backgrounds and with a wide range of claims are sitting in in Abdallah's office at the same time. A typical day might include the following scene: the Bedouin Secretary for Youth of the NDP and several colleagues are asking for approval for an event in the local *Markaz Ish-Shabab* (youth centre), the director of the secret police calls on the mobile phone to talk about the prosecution of a homicide case in a small Bedouin town, a public servant from the governor's office wants to negotiate the construction of a health station in a Bedouin settlement (Abdallah has already mobilised the support of a World Bank project), Abdallah's friend Ibrahim, a political entrepreneur himself, wants to talk about their trip to a workshop on desert agriculture in Syria, and throughout all of these discussions, two simple farmers from Abdallah's association are waiting for financial support to buy fodder for their flock. To accomplish these diverse tasks Abdallah draws from a polyvalent repertoire that he has build up in years of political activity. The political entrepreneur connects the seemingly disparate spheres through his expert knowledge and his multi-referential social capital. The secretary for youth is advised to strengthen relations between the NDP and young people in the urban centres but is also ordered not to forget about the young men of Abdallah's tribe. The director of the secret police is assured that the Bedouin will take care of the homicide case. In return, the director of the secret police promises to refrain from any enforcement of law by the state and thus Abdallah ensures the independence of Bedouin conflict resolution without affecting the security interests of the state. The chronically under-funded public health system is connected with the resources of a

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[16] This is particularly true for a project of the German Agency for Technical Cooperation (GTZ) in the years between 1990 and 2001 and for a project of the World Bank from 1998 to 2004.

development project in order to build the health station. With Ibrahim, Abdallah debates the problems of water supply in desert agriculture, and the two farmers receive subsidised fodder through a middleman from Abdallah's association in the central agricultural cooperative in Marsa Matruh.

Even for knowledgeable experts in local politics (including social anthropologists) the kind of logic and the frame of action Abdallah uses to solve problems and create options is not always immediately recognizable. The office is not only a place of interlacement between polyvalent spheres, but also a platform for a specific innovation in which the global model of a political party is appropriated for the local arena. The mobile phone serves in this context as a new social technology. [17] The political entrepreneurs usually have two or three devices of the latest fashion at their disposal. The appropriation of the mobile phone, the *Mahmul,* creates new and accelerated options in social and communicative networking for the management of politics. Nevertheless, the constant use of the *Mahmul* is also part of the cultural habit of the political entrepreneur. In this they are only matched by the smugglers. The use of the *Mahmul* creates an air of omnipotence and super-connectedness that flatters the self-perception of the entrepreneurs.

The genesis of political innovations on the Egyptian side of the borderland is very much related to international and multilateral development projects. The development projects of the Food and Agricultural Organisation (FAO), the German GTZ and the World Bank have not only provided material inputs or supported the political careers of several development brokers. They have also introduced ideas and practices, such as output-oriented cooperative and lean schemes of management with flat hierarchies and transparent decision-making processes. These travelling models brought by the development experts have been integrated into the political self-organisation of the political entrepreneurs.

The meetings of the Bedouin president of the governorate parliament in Marsa Matruh I had the honour to observe contain typical elements of the global organisational structure of a team meeting as practiced in development. The agreement on common targets, timetables and their visualisation on a flipchart, the organisation of the division of labour and a meeting procedure that contains open elements (discussion) and defined elements (decision and timetable) have little to do with traditional Bedouin organisational procedures. Here, the development projects

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[17] A research group headed by the Dutch social anthropologist Miriam de Bruin (African Studies Centre in Leiden) has recently carried out research on mobile phones as new social and cultural technologies in Africa.

served as a pool of potential practices and conceptions that were appropriated and adapted according to local situations and necessities. However, this process does not represent a variant of "development as prey" as Beck (1990) has pointed out, nor are we dealing with the enforcement of "specific cultural plans" (Reyna 2007) on local practices by development agencies. In fact, the case of the political entrepreneurs of the *Aulad Ali* shows that the decision about the way to deal with travelling models is made by actors on the local level.

The political entrepreneurs on both sides of the border have also applied new personnel policies that are related to experiences in development and in some cases also in private companies. Thus they operate with small teams of Bedouin university graduates of the disciplines law, business administration and engineering. These young assistants, who call themselves *Al-Jil Al-Jadid*[18], work directly with the entrepreneurs or are positioned in governmental administration, in companies and in political parties. They are actively involved at the forefront of decision-making processes. Here they enjoy the expression of their own aspirations beyond the strict Bedouin rules of generational communication that forbid a young man to speak up in the presence of an elder. Besides the term *Al-Jil Al-Jadid* they also use the word *Fariq* (Team) to describe themselves. In fact this is a significant innovation that breaks with traditional Bedouin traditions of authority and leadership. The educational skills and the experience of *Al-Jil Al-Jadid* with new information technologies such as satellite television and the internet allows for participation in global discourses and practices such as decentralisation or democratisation. Thus the new generation presents itself as reform oriented. Their political visions revolve around a post-tribalistic (in the sense of tribal factionalism) but not a post-tribal (in the sense of keeping Bedouin culture) political order in the borderland. In a group discussion with a leading political entrepreneur and his *Fariq* the young men passionately argued in favour of replacing the, in their eyes, particularistic Bedouin concept of *Assabiyya* (tribal solidarity) with the concept of *Takaful* (solidarity). According to the young politicians, this move would allow the *Aulad Ali* to overcome tribal particularism and to achieve an appropriate understanding of solidarity in relation to other groups in society. However, their claims are still embedded in the neo-tribal context: all assistants usually belong to the association of the political entrepreneur they work for. Although they are quite aware of the contradiction between their assertion and the political reality, there is a certain reservation connected with talking about about the issue openly. The political vision of a post-tribalistic order is limited by a political practice shaped by the struggle

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[18] The term literally means 'new generation' and is an emic expression of the young assistants related to the so-called new generation of politicians surrounding Gamal Mubarak in Egypt and Gaddafi's son Saif Al-Islam in Libya.

for influence and power among the neo-tribal associations. In the words of a key informant we are still dealing with *Ruh Al-Qatia*[19] - particularistic peer pressure.

In spite of this, the innovations discussed above do not represent a camouflage strategy in which the production of new ideas and practices is only simulated in order to pursue other ends. The process is observable and political decision-making is in fact taking place in these new contexts and not in tribal back rooms. The intense competition among the associations in Libya has certainly led to a polycentric neo-tribal structure in the state apparatus. Nevertheless, this does not mean that these domains of neo-tribal power can execute solely particularistic policies. In the words of a key informant in the Libyan city of Tobruk: "The public waterworks station we control has to guarantee the supply for the whole of Tobruk, not just for my association" (source: interview 17/11/2008). In other words the appropriation of the state and its functions goes hand in hand with claims and demands that are oriented at the global model of statehood and public administration. The disciplining force of the exercise of statehood is one of the interesting repercussions in the process of appropriation that leaves no actor untouched. The following citation of a leading Libyan military, tribal leader and associate of Gaddafi illustrates this assertion: "If you want to control the state and be accepted by the people, you also have to organise state services such as order and security, public health and social services" (source: interview 19/11/2008).

This statement equates to my hypothesis that today any political authority or power position, state or non-state, has to be seen in the context of "generalised statehood", meaning that all areas of the world are occupied or at least claimed by states and every contemporary political entity is based on or related to patterns and ideas of modern statehood. Legitimacy augments, if the political order in question contains particular aspects of modern statehood, such factors as the notion of territoriality, the monopoly of violence, redistributive functions and last but not least elements of justice and equality (Klute 2004, Hüsken/Klute 2008). Those who want to rule or demand political leadership have to be able to provide meet and organise these core elements. Looking at the citizens themselves, we can also assert that expectations towards almost any political order share this perspective.

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[19] *Ruh Al-Qatia* literally refers to the flock spirit of sheep.

The complexity of this phenomenon is reflected in the political discourse and the articulation of new political ideas of the borderland. On both sides of the border certain political entrepreneurs are working on the genesis of an ethno-political movement of the *Aulad Ali*. However, the integrity of the nation states of Egypt and Libya is not questioned by these actors. In fact, citizenship and tribesmenship are not viewed as being in opposition, and even national preferences if not patriotism is frequently expressed, although the latter usually carries a utilitarian air. The Libyan state is generally praised because of its subsidies and free services. In Egypt on the other hand, the state is seen as more democratic and more accountable. In several group discussions in the Egyptian border town of Saloum the participating political entrepreneurs agreed that the Libyan state is shaped to far too much by the arbitrariness of Gaddafi and that the competition of the neo-tribal associations has turned state institutions into a rag rug of factions. Besides the advantages of this process: "Our people are everywhere: in the administration and in security" (Source: Interview 28/05/2008) the main disadvantage was seen in the fact that the state has lost its position as a "primus inter pares", a neutral but predominant source of order vis-à-vis the competing neo-tribal groups. In Egypt however, the state still maintains this function in the eyes of the Bedouin politicians. In the words of a leading politician of the pioneer generation: "If the state is totally tribalised we will have circumstances like in Yemen or Iraq (Source: Interview 17/05/2008).

Thus the political entrepreneurs advocate a gradual enhancement of Bedouin political participation in both countries including the safeguarding of certain privileges in the transnational interactions of the tribal society. The contention with global political models such as decentralisation or ethnic autonomy is conducted pragmatically and attributed to local needs. The concept of statehood is not questioned but the way statehood is constructed is discussed. In the realm of practical politics these political entrepreneurs have to face the suspicion of the states as well as the distrust of competing associations. "The political culture in the borderland is not yet ready for the integrated approach of the *Aulad Ali*" (Source: interview 12/10/2007).

I have mentioned above that the National Democratic Party (NDP) playes a particular role in the Egyptian boderland. Party membership of Bedouin has been a well-established means to enjoy certain benefits (such as the channeling of state resources through the NDP) since the 1950s. However, the making of a political carreer through a party and acting in local, regional and national party-political contexts is a new phenomenon. The opening of the party for local power

groups recently implemented by Gamal Mubarak, the son and prospective heir of President Hosni Mubarak, is certainly a typical cooptation strategy the NDP has always applied to ensure the legitimacy of its rule. [20] Gamal Mubarak is preparing for the takeover of power and thus the support of the peripheries is an important factor. This task is taken quite seriously. In the winter of 2007 the NDP hosted a national party congress with delegates and party members of the entire country in a four star army-run hotel in Cairo. For the first time in history a delegation of 120 Bedouin of the *Aulad Ali* was invited. The political entrepreneurs and their entourage in traditional Bedouin dress and with the self-confident manner of Bedouin men aroused attention and astonishment among their fellow Egyptian delegates. For the Bedouin, the congress in Cairo served as a significant symbolic empowerment and was felt to be an important and encouraging event. It shows that even political cooptation strategies are not to be seen merely as a power politics one-way street, but as form of political interaction that also increases opportunities for supposedly marginal groups.

Local party activities with electoral offices, meetings with protocolaric regulations and the need for a coordinated approach from the local to the regional and national level are a new experience for the Bedouin party functionaries. The monthly thematic discussion evenings of the NDP on agricultural development or youth open up a sphere of discourse and exchange that reaches beyond traditional Bedouin modes. However, it allows Bedouin claims to enter a wider framework of politics. The non-tribal logic of party activities on the other hand enables to adjust local politics to radically changing social environments. This is particularly true for the work being carried out with the Bedouin urban youth in the borderland. Here, the political party is an appropriate vehicle to integrate the heterogeneous multi-tribal age-group of men between 25 and 35 years, which covers approximately two- thirds of the entire male Bedouin population in the cities. Here, we find the first indications of the transformation of the mode of political organisation from tribal to party political. For the majority of the political entrepreneurs however, the Bedouinisation of the local NDP remains the primary strategic goal. Thus neo-tribal political competition is carried over into the NDP. In contradiction with the above-mentioned processes this may also turn the NDP into a polycentric neo-tribal arena. Nevertheless, the examples demonstrate the deep interlacement of state, tribe, party and development. The political entrepreneur incorporates this interlacement and thus represents the composition of the local political arena.

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[20] See Kienle 2001, Hüsken 2006: 23f.

On both sides of the borderland political competition is also regulated by elections for parliaments, basis- and people congresses. The political entrepreneurs and their associations participate in these elections as candidates and their supporters. [21] Although the struggle for the seats in local, regional and even national parliaments is not new to the *Aulad Ali,* the fact that political entrepreneurs nowadays have to mobilise votes beyond their own associations and respective tribal group in order to win a seat is a new development. On the one hand, this is a result of the changes that are connected with urbanization: The emerging poly-tribal and socio-economically heterogeneous milieus of the growing centres of Marsa Matruh and Tobruk can no longer be mobilised simply by means of tribal belonging (such as *Assabiyya*). On the other hand, competition among the associations has certainly caused severe social and economic asymmetries and an increasing political fragmentation of the traditional social units of tribe, clan and lineage. In Egypt, election campaigning as a part of the public political competition between political parties and candidates belongs to the current repertoire of Bedouin politics. In Libya, this process is significantly different: political parties do not exist, the founding of parties is forbidden and campaigning is unknown. Thus the political entrepreneurs have to bargain for votes in the forefront of elections by face-to-face relations and political arrangements. Nevertheless, elections and social dynamics have caused interesting innovations in the political field. Here, particularly the genesis of new post- or poly-tribal movements is at stake.

Appearance, promoting and arguing in public spheres has its own specific challenges. The local and regional markets and particularly the cities of Marsa Matruh and Tobruk with their shops, markets, Bedouin tea houses and restaurants host elemental processes of public societal self-information (Elwert 2000). However, these communicative processes are highly decentral and evolve within multiple interpersonal channels. [22] Thus the political discourse is many-voiced and controversial. The political entrepreneurs have to face these public spheres and their controversies. Here, they meet potential voters who do not automatically follow established patterns but want to be convinced and attracted. Thus elections contain a great deal of uncertainty. Some of the neo-tribal associations try to reduce this uncertainty by buying votes. [23] Nevertheless, the opportunity to gain political influence through elections has also triggered entirely new forms of political organisation. In 2004, the Bedouin lawyer Mahmoud organised an election campaign in Marsa Matruh to win a seat in the national Egyptian parliament in Cairo.

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[21] The last election for the parliament of the governorate Matruh took place in April 2008. The initiative announced by Gamal Mubarak to grant real sovereignty in budgetary matters to the regional parliaments led to intensive election campaigns on the part of the associations.
[22] See Hüsken / Roenpage 1998:167
[23] The buying of votes is usually financed by revenues from smuggling.

Mahmoud acted as an independent candidate without the support of a powerful association or a political party. This was a radical change in the political practice of the borderland. Mahmoud succeeded in mobilising the emerging group of young urban male voters. These young men, with their heterogeneous tribal backgrounds and the multi-tribal urban quarters they live in share the same limitations in social, political and economical opportunities as their fellow youth throughout the Arab world (Hüsken 2008). With *As-Sawt Ash-Shabab*, the voice of the youth, Mahmoud gained a totally unexpected victory. For the first time, a charismatic political novice with an entirely new approach and no support from the NDP won a seat in the national assembly. The novelty of this process was also documented with the name *Haraka Ma Baad Al-Qabail,* as post-tribal movement, Mahmoud adressed to his endeavour. However, his political coup was turned down by an alliance of the neo-tribal groups and the Egyptian state. The governement decreed a ban on Mahmoud's political activities that is still in force today. Obviously the state and the neo-tribal associations were wary if not scared of Mahmoud's new approach.

Global and Local Media

For almost five years now, Arab satellite television like *Al-Jezira* contribute to the transformation of the political field by introducing global discourses into the Bedouin households of the borderland. In addition a big number of religious stations promote their specific interpretation of Islam. The influence of these medial public spheres is expressed by the broad politicisation of the communicative processes. The controversial discussion of the global financial crisis, Israel and the Palestinians, an interview with an Iraqi resistance fighter or debates initiated by "tv-Islam" belong to the political conversation as much as news about the global development of fodder prices for sheep. The daily consumption of television also enhances the circulation of global political ideas and models about political organization. This applies to issues such as good governance, democratisation, decentralisation and the relationship between local ethnical movements and central governments. In the visitor and men's room of the Bedouin house *Marbua* as well as in the various teahouses and restaurants the emergence of "tv-experts" and "tv-expertism" among the audiences is an increasing phenomenon. However, the Bedouin actors have only little knowledge about the selectiveness of information promoted by television. Thus the political entrepreneurs have to face citizens highly politicised by media discourses. Besides the necessity to be up to date with the news of the world, this requires the ability to deal with generalisations and exaggerations of tv-journalism as well as to combine "tv-reality" and "tv-politics" with the local arena.

For two years now, the local political discourse in Marsa Matruh is accompanied by the monthly magazine *Watani Matruh*. The magazine is party financed by the NDP and thus follows the agenda of the party to a certain degree. Despite of this, the magazine is published and edited by Bedouins. Almost every prominent political entrepreneur around Marsa Matruh has already published articles, comments and essays in *Watani Matruh* that deal with local as well as global issues. The magazine also has a culture supplement that deals with Bedouin traditions such as poetry and new forms of cultural production like Bedouin short stories. Thus the magazine generates a specific public space for local debates on politics as well as a certain affirmation of Bedouin culture formerly not known in the borderland. For the political entrepreneurs the publication of an essay or the initiation of a debate with article and counter-article are entirely new forms of the public communication of politics.

5. *Competitive Legal Pluralism*

Conflict resolution through Bedouin customary law or *Urf* is a central element for the integrity of the social and cultural organisation of the *Aulad Ali*. This applies to national, transnational and international relations. Like every embedded legal system, *Urf* is subject to dynamic transformation that is related to wider societal developments. At present, conflict resolution in the borderland is characterised by a variant of legal pluralism which I call "competitive legal pluralism". Besides the phenomenon of "forum shopping" (Benda-Beckmann 1994) as a form of choice between different opportunities for conflict resolution, the term competitive legal pluralism emphasises the competition among different providers. In this market of conflict resolution we find different conceptions such as the Bedouin *Urf,* the state law and the *Sharia* courts as well as different actors such as political entrepreneurs who act as *Mardi* (mediator) with a modified *Urf,* Bedouin lawyers who operate with the state law and the preachers who execute a specific variant of the *Sharia*.

The process of mediation provides an intimate knowledge of societal processes and (power) relations. This knowledge can be transferred into other fields for strategic reasons. Conflict resolution is also a way to produce and establish a legitimate order. Those who are able to provide this form of order benefit through status and prestige as well as by a significant advancement of their power position within society. The political entrepreneurs dominate conflict resolution via the *Urf.* They do this by introducing certain innovations of the traditional

procedures. [24] Some parts of these procedures are nowadays shortened or even left out. However, the personalisation of the mediation process is the most significant transformation. Collective elements disappear in favour of the increased role of the *Mardi,* who frequently applies new elements of moderation and variations of traditional verdicts. [25]An increasing number of conflict parties choose to be represented by a *Mardi* of their own. Thus the *Mardi*s become lawyers or stakeholders of their clients. They try to settle conflicts by working out a baseline for a consensus that is presented to the conflict parties. These new strategies and techniques are developed and applied due to the high frequency of conflicts, and even more so, to social change. The latter is connected to a diminishing of collective patterns of social action and responsibility, which is a direct result of competition among the neo-tribal associations. In fact, this competetion is not only now taking place between tribes or clans but also within these formerly solidaric units. [26]

The decline in solidaric obligations leads to severe problems for the resolution of conflicts. The postponement of the *Urf* procedure by changing the mediators, disobeying arbitration and the entanglement of legal and political quarrels are common features of the contemporary legal culture of the Bedouin in the borderland. In addition, the frequent overpowering of the *Urf* by mighty neo-tribal associations is at stake. This overpowering is represented by manipulations such as the bribing of the *Mardi*, political pressure on inferior associations that goes along with "financial compensation", or the blunt threat of violence.[27] For weak associations the quest for justice often leads to a fundamental lack of legal security. Thus the management of conflict resolution and its financial dimension[28] is both challenging and politically delicate, as it becomes a domain of the wealthy and powerful who can afford the costs and the potential political frictions.

The relation between *Urf* and the state law (including the executive security apparatus) is entirely organized by the political entrepreneurs. They are the only ones who possess the necessary social capital, knowledge and capabilities to establish a divison of labour between the *Urf* and the state.

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[24] See Hüsken/Roenpage (1998)

[25] The traditional compensation for murder used to be blood money and the migration of the murderer and his nuclear family for one year. Nowadays the sedentarisation has put an end to this practice and blood money is regarded as sufficient.

[26] This is particularly true for the traditional *Amar Al-Damm*, the community of blood, which used to take the collective responsibility for the blood money. Nowadays the associations try to avoid this.

[27] In 2007 I witnessed a land conflict between two associations of the same clan in Al-Hamam, Egypt. One of the conflict parties had occupied a piece of land of a deceased man despite not being the legitimate heir. However, the asssociation rejected a settlement of the conflict by means of *Urf* and declared that they would use force to defend their appropriation. Because of the size and the significant amount of armed men the association succesfully overpowered the *Urf*.

[28] Though mediation requires time and money for travel, the scheduling of meetings and the hearing of witnesses etc., the mediator does not receive a salary.

The security apparatus in Egypt and Libya is predominantly interested in a "calm situation". Thus conflict resolution is left in the hands of the *Urf* protagonists and the enforcement of state law is suspended.[29] In addition, the Egyptian authorities have little knowledge about Bedouin society. The social and cultural difference between the Nile Valley Egyptians and Bedouin serve as an information barrier that is scarcely compensated by the recruitment of informants. [30] Thus cooperation with the mediators is a vital interest of the security appartus. In Libya, the police and the secret services are infiltrated by neo-tribal associations and political entrepreneurs. Here, the bypassing of the state law is organised within the state apparatus itself and seen as a natural habit by the actors involved.

The *Urf* also has an interesting transnational and international dimension. For a social anthropologist the transnational dimension is obvious. The *Urf* is a non-state conception and establishes a frame of order for a population that settles on the territories of two states. However, conflicts between Egyptian and Libyan *Aulad Ali* also involve the citizens of two states. Here, the *Urf* contributes significantly to law and order in the relations between the two states. This international dimension is also documented by the regulation of Bedouin labour migration between Egypt and Libya by the *Urf,* as well as legal and illegal trade and international weddings. The toleration of customary law on both sides of the borderland undoubtly strenghtens the ideology and practice of non-state conflict regulation. However, the state law is not entirely rejected by the Bedouin. In Marsa Matruh and Tobruk, more than forty Bedouin lawyers offer their services in civil law, as solicitors or facilitators for various public services. The services of the lawyers are frequently used by the Bedouin. The core problem of the state law and its apparatus is not so much the commonplace issue of corruption as it is a lack of efficiency. Lawsuits usually take one year, even in the case of simple traffic accidents. Thus the avoidance of the state law has pragmatic rather than ideological reasons. Only in the case of capital crime such as murder or accidents with loss of life is the situation different. Here, the Bedouin systematically prevent the involvement of the state justice for ideological reasons, due to the fact that prison sentences are incompatible with the Bedouin preference for compensation rather than punishment.

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[29] The Egyptian police and the secret police stated in an interview (14/05/2008) that they refrain from enforcing the state law as long as the Bedouin keep the situation under control and the escalation of matters seems unlikely. In spite of this, even severe conflicts such as bomb attacks in the course of a land rights conflict in 2005 were not prosecuted by the police.

[30] Bedouin informants of the secret police tend to manipulate the authorities by intentional disinformation.

The preachers attack the *Urf* and its protagonists as well as the state law and justice system from an "Islamic perspective". At the same time, they present themselves as a legal and legitimate Islamic alternative on the basis of the *Sharia*. The mediation of conflicts usually takes place in the mosque, which acts as a *Sharia* court. The preachers serve as mediators and judges. The invoked legitimacy of the *Sharia* plays a major role in their legal practice. This religious legitimacy is positioned against the *Urf* and the state law. The manifold interlacements between the *Sharia* and the *Urf* are therefore denied and turned down by the preachers even if they are Bedouin. In addition, the preachers polarise the legal discourse and its practice by promoting the *Sharia* as the only legitimate source of law and order. For their Bedouin clients, the moral authority of the preachers' claim is quite significant. Thus a growing number of urban Bedouin feel obliged to consult a *Sharia* court instead of the *Urf* because they want to follow an orderly Islamic way of life.

The activities of the *Sharia* courts are embedded in socio-political activities and agitations that explicitly accuse the political entrepreneurs and the state of corruption and greed for power. The current asymmetries in Bedouin society seem to support their arguments in the eyes of many. In legal practice however, the *Sharia* courts often experience limitations due to the fact that typical Bedouin conflict cases such as land rights in the desert are not fully covered by the *Sharia*. In these cases the preachers improvise the mediation but nevertheless call their arbitration *Hukm ash-Sharia* (Judgement of the Sharia).

Competition among the preachers and the *Urf* mediators is currently increasing and has partly escalated into violent conflicts between neo-tribal and religious associations. As well as the support of their followers the preachers can also rely on concrete material support from the Gulf region, a fact that again shows how the globalisation of Islamic models and practices reaches into the peripheries.

6. Borders and Borderland

The borderland of Egypt and Libya is a productive zone in which significant political and economic processes are at stake. Thus the image of a periphery without connection to national and global developments is inappropriate. The *Aulad Ali* are a transnational tribal society that dominates the borderland between Egypt and Libya and that is directly and actively involved in national and global processes. However, Feyissa and Höhne (2008) rightly point out that the

successful use of a border situation requires certain preconditions. In the case of the *Aulad Ali* these preconditions are represented by vital and interconnected neo-tribal networks of a social, political and economic nature on both sides of the border; a comprehensive trans-border system of conflict resolution on the basis of a customary law that is also compatible with other tribal populations in Libya and Egypt; a distinct cultural identity that is nowadays also used as a political asset; the currently permissive border regime of the respective states and the economic chances related to it; the political opportunities granted by the appropriation of state structures and the participation in statehood, and finally the affirmative effect of the generalisation of the neo-tribal order in Libya.

Firstly, the economic productivity of the border situation is obvious. The permissive border regime allows for uncontrolled labour migration from Egypt to Libya, a situation taken advantage of by approximately 60 percent of the Bedouin households in Egypt. [31] The most important economic pledge in the hands of the *Aulad Ali* is the almost unlimited toleration of trans-border trade and smuggling as a substitute for comprehensive economic policies by the Libyan and Egyptian authorities. The flow of legal and illegal commodities from Libya to Egypt is widely organised, controlled and legally regulated by *Aulad Ali* Bedouin. These activities comprise petty smuggling on a daily basis, the so-called *Tujarat Ash-Shanta* (bag trading) and the professional organised smuggling of clothes from Turkey, beauty products from Italy, mobile phones and cameras from China, cigarettes and drugs. The latter are traded from the Maghreb via Libya and Egypt into the market in Israel. The *Aulad Ali* smugglers cooperate with Bedouin partners of other borderlands, namely the Bedouin of the Sinai Peninsula and neo-tribal associations in the borderland between Libya, Tunisia and Algeria. In addition, they work with partners in the ports and the free trade areas in Egypt and Libya, who inform the smugglers about incoming commodities by mobile phone. The marketing of the commodities is conducted by Bedouin salesmen in Tobruk, Marsa Matruh and Cairo. In Marsa Matruh hundred of thousands of Egyptian tourists, who spent their summer holidays in the cooler climate of the Mediterranean coast, benefit from the offers in *Suq Libya*, the Libyan market. In Cairo, customers can order particular products such as Chinese cameras in certain shops. The orders are communicated to the smugglers by mobile phone and the products are usually available within a month.

[31] This figure was estimated by the Bedouin director of the National Bank of Egypt in Marsa Matruh. Official numbers do not exist.

The profits of smuggling are mainly used for the economic reproduction of the neo-tribal associations, but are also channelled into the political field, for instance to finance election campaigns. The Bedouin generally speak quite openly about *Tahrib* (smuggling) but they also use ironic terms like *Tujara bidun Gumruk* (trade without customs). Some political entrepreneurs claim smuggling as *Haq Al-Aulad Ali*, the right of the *Aulad Ali*. On the one hand, this assertion sets Bedouin claims over the rights of the state; on the other, it is a pragmatic response to the painful absence of economic alternatives.

The practicalities of smuggling are usually conducted by the young men of an association aged between 20 and 40, while the elders act as coordinators in the background. The young men establish a subculture of smugglers that is recognisable by certain habits and a distinctive performative practice. Bravery, readiness to take risks and a certain romanticism of illegality belong to this subculture, as well as the demonstration of wealth by expensive clothes, several mobile phones of the latest fashion and the possession of big American four-wheel-drive vehicles. Another very interesting cultural aspect is represented by short movies or video clips made by the smugglers using the video device of their mobile phones. The central issue of these movies (which are sometimes accompanied by Bedouin music) is the act of smuggling and the illegal crossing of borders. The video clips are exchanged (via Bluetooth) and circulated among the smugglers. The more spectacular and illegal the content is the more desirable the clip becomes. Here, the appropriation of a new technology seems to initiate an iconographical discourse that reaches beyond the above-mentioned effects on political management or the organisation of smuggling networks by mobile phone.

The economic productivity of the borderland is accompanied by certain political advantages. Firstly, the existence of two radically different state systems increases the number of political settings and chances of appropriation the Bedouin can use to pursue their ends. Thus the willingness to subordinate oneself under one state system and to become an obedient citizen is replaced by the opportunity of choice. Claims on the part of the states can be rejected by crossing the border. Political problems or conflicts with state authorities can be anticipated by disappearing into the tribal context on the other side of the border. Thus the Leviathan loses a significant amount of its domination over the citizen. In addition, the neo-tribal structure of Libyan society has affirmative effects on the *Aulad Ali* in Egypt. Contrary to other tribal groups such as the Bedouin of the Sinai Peninsula, who are confronted with two explicitly non-tribal

societies in Egypt and Israel, the *Aulad Ali* can experience themselves as part of a transnational social and cultural continuum.

Outlook

The role of tribes and neo-tribal groups in North Africa is often discussed under the premise of a "primordialisation of politics" (Werenfels 2008). Tribes are seen as competitors of the state or as agents of a "re-traditionalisation of politics" (Chabal / Dalosz 1999; Kassimir 2001). Sometimes tribes are qualified as a "general obstacle to development" (Al-Kikhia 1997). The analysis of domination and rule without and beside the state has had a long tradition in Social Anthropology, starting with the work of Fortes and Evans-Pritchard (1940). In the 1960s Sigrist (1964) argued against the thesis of the universality of the state. Furthermore he emphasised the capability of stateless societies to evolve and organise social change despite the arguments of the theory of modernisation.[32]

Regarding the findings of my research, I cannot find any argument for the existence of an antagonism between tribes and the state, nor can I support the argument of primordialisation or retraditionalisation. While other borderlands seem to be shaped by a "heterarchy" (Hüsken/ Klute 2008) of different organisational systems, the case of the *Aulad Ali places* appropriation, interlacement and innovation at the centre of the political process. The example of the neo-tribal competitive order shows how global and local models can become elements of this innovative process. The *Aulad Ali* create a transnational system of order that transforms elements of statehood and tribal traditions into a unique practice. This system of order is obviously not in accordance with theoretical models of development derived from European history such as state-governance, the legal state and democracy. However, this does not mean that these models may not be integrated into the local theory and practice of politics. Nevertheless, the decision about this is made on the local level by local actors and not by development planners somewhere in Western ministries or think tanks.

The case of the *Aulad Ali* documents how vital, unique and at the same time interconnected with the world a local political practice can be. Naturally, we are dealing with ongoing, dynamic processes. The questions as to where the appropriation of the state by the neo-tribal associations

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[32] This refers to the thesis of Dahrendorf (1964), that societies need centralised institutions in order to develop.

will lead, and if an ethno-political movement of the *Aulad Ali* will really emerge, cannot be answered at present. They will, however, be the subject of studies in the future.[33]

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[33] See also the book "Beside the State. Emergent Powers in Contemporary Africa" by Georg Klute and Alice Bellagamba (2008b).

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Introduction

Encompassing Senegal, The Gambia and Guinea Bissau, the term Western Senegambia[1] is particularly referred here as the western part of Senegambia[2]. Geographically pertinent, this usage of the term is not as arbitrary as it seems. It alludes in fact to the multiple and overlapping spaces and dynamics of the global senegambian social space identifiable through historical, geographical and social variables; it alludes also to the social space of the specific communities interrelated by networks of clientelism, religious and economic solidarities, configurations which produce conflicting dynamics that can either strengthen national unity or, in the contrary, increase interdependency among the States mentioned (Sall 1992). As the most integrated sub-regional space of West Africa, its national boundaries dividing peoples seem rather senseless.

This reality of national borders as constantly challenged by cross-cutting socio-cultural dynamics is now a common argument, or else a largely documented paradigm in Africa (Bach 1998). Both scholars and policy-makers paradigmatically agree that borders are spaces in which national boundary-lines are diluted by other territorial and identitary dynamics produced out of popular strategies (Unesco 2005). Indeed, this paradigm reconciles the material factors such as economic and trade patterns and symbolic ones such as political and cultural elements of border life. Identitary logics constitute the common realm of political and cultural dynamics that combine with and reshape territorial or spatial appearances of borders.

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[1] See Barry (1981 and 1988) and Sall (1992).

[2] Sall argues that this space referred elsewhere as the "Great Senegambia" or the "Historical Senegambia" (Barry 1981 and 1988) has a political signification, that is the existence of a "maison commune" of the peoples of the global social space corresponding to the western sub-space of West Africa including Senegal, The Gambia, the Republic of Guinea, Guinea Bissau, Western Mali and Southern Mauritania (Sall 1992:1).

In many recent studies[3] of borders as borderlands or regions, identity and territory are the two ingredients of the same process. They help redefine borders as borderlands, that is, as spaces of symbolic and material stakes. In a seminal work edited by the Cameroonian scholar Luc Sindjoun (Sindjoun 2004), contributors[4] globally conclude that migrants are particular negotiators of a multiple political identity, a multinational transnational identity that renders borders porous to them but not meaningless. Even though borders are subject to permanent (re)interpretation in daily practices and discourses, they are not contested or skirted in these transnational territorial and identitary dynamics (Bennafla 1999). The process instead is comparable to a game in which national identity is constantly used in conflictual relations with other social identifications, ethnic or community. If cross-border or borderland life implies identity negotiation for migrant individuals or communities, the question remains to be asked for sedentary communities. In this vein, Pierre Cisse investigated how socio-cultural solidarities in the sedentary Bobofing community between Mali and Burkina Faso challenged frontier lines through an intense process of identity negotiation in which "ethnic differentiation is more important than national differentiation" (Cisse 2007:31).

If these works demonstrate the possibility to construct a communitarian and cosmopolite collective identity out of multiple identifications, they tell us little on the complex processes of this negotiation. For instance, they remain silent on how these practices could in return (re)produce, reshape and perpetuate those identities. Furthermore, these studies seem to miss the point that socio-cultural and regional solidarities that back those ethno-regional identities cannot

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[3] See for instance Wilson and Donnan (1998), Donnan and Wilson (1999). On Africa, see contributions by Nyambara, P. S. and Martineau, Jean-Luc in a very recent work edited by Falola, T. and Aribidesi, U., 2009, *Movements, Borders and Identities in Africa*, University of Rochester Press. For recent empirical accounts in West Africa, see Cisse (2007) and Tandia (2007).

[4] See mainly the introduction by Luc Sindjoun and papers by Lydie Ela Meye, Yves Alexandre Chouala and Andre-Marie Yinda-Yinda in this particular question of transnational identity and its challenging / reinforcing effects on the nation-State.

be isolated in the construction of collective identities. How they interact, through absorption or rejection, with other forms of belongingness such as national and ethnic identities is not really demonstrated. Moreover, as has been illustrated from cross-border migration (Sindjoun 2004, Meye 2004, Mimche 2007, Ouedraogo, 2007, Oshineye 2009) identity construction entails material concerns borderland actors have to cope with in their border strategies. This issue of the utility of identity construction in borderlands seems to suggest that borderland identity consists of symbolic and material foundations and aspirations. A last point to consider from the preceding is to what extent transnational community identities make sense for such collective actions as cross-border governance, and what this could reveal in terms of border meaning.

We would like to argue in this paper that, in the considered settings of the Western Senegambia neighbourhoods, ethnic and cultural identities mostly help (re)define borders, throughout cross-border-governance as a collective action for border regulation and cooperation. Most importantly, this trans-boundary governmentality lies more on local identitary constructions and practices of border spaces than on formal legitimacies of local government or else on intergovernmental cooperation. However, the obviousness attached to the form and functionality of this socio-historical invention is relativised by differences in terms of *local histories*, of *socio-political trajectories of State formation*, of *socio-economic societal contingences*, both at national and regional levels. The consistency of both the communitarian identity and the collective action it helps to legitimize depend on how these variables behave separately or not. We will try to answer the following questions: to what extent the production of cross-border communitarian identities ascribes a particular meaning to borders? To what extent and how they constitute the legitimising framework for such collective actions as cross-border governance? How do these community identities proceed of other forms of belongingness such as national and ethnic identities?

Our approach is eclectic and is based on the great deal of theoretical and empirical corpus available in historiography and anthropology of borders on the one hand, and sociology and political economy of State formation in Africa on the other. This empiricism draws from a mixed epistemology, realist and constructivist at the same time, to interpret actions through their representational frames and their pragmatic assignments in social encounters.

Border territories, borderland identity and cross-border governance: theoretical considerations

The physical or geographical border, or the frontier, which is our concern, here refers to the juridical boundary, a fence by which criteria of nationality are defined. Thus borders appear as identitary markers, exclusive and inclusive at the same time, but also lines of demarcation that sanction the Sate's sovereignty and authority. Such a schema is not always easily devisable in Africa given the anachronism between the colonial heritage and the dynamics of African societies (Asiwaju 1985). Cultural boundaries of peoples do not tally with conventional political borders of Nation States, and national identities hardly match up with cultural identities (Asiwaju 1984, Unesco 2005). This reality of borders brings us to talk about borderlands or "border areas" as referred to in the current discourse of African regional integration. This notion is largely preferable to us in the sense that it highlights how boundary-lines are subsumed in societal practices of borders. It also enables us to approach borders as territories and spaces of political significance.

Borders are political territories in the sense that they are appropriated spaces, whether by State or by society and its in-groups. In the perspective of cross-border governance they can work as political territories since this peripheral inter-local governmentality contextualises some peculiar constraints and dynamics of the border areas who are "geographical spaces straddling the national territories of two or more countries, where peoples are closely tied up together by socio-

economic ties" (Sikasso Seminary 2002). However, the political nature of borderlands on which is based cross-border governance can be revealed in more precise terms. First, cross-border areas are in our settings sub-national territories formed by administrative regions and districts. Second, they are transnational territories cross-cutting State territories. In this case, they appear more as socio-cultural territories, that is the ethno-regional spaces drawn by linguistic and religious boundaries, and homogenous areas in terms of level of development, criteria that altogether bear political significance (Rosière 2007:25). Third, as such, cross-border areas or borderlands harbour decision centers such as administrative decentralized authorities and local governments. It implies many decision centers among which civil society and non-State charismatic decision-makers constituted by traditional and religious nobilities. So, beyond their administrative pertinence, decision centers take part in the structuring and government of political spaces which borderlands are (Rosière ibid.). In this sense, the analysis of borderland identity can proceed from an articulation of notions of territory and identity.

Thanks to sociological and anthropological theory, it appeared in political science that the territory plays an important role in identitary differentiation (Braud 2006:124). We can inversely assume that identity is important in the construction and transformation of territories, and even, in their control. In other words, identities import much in cross-border governance given that this collective action and political mobilization aims at inter-local government or management of borderlands as spatial frames and stakes of power and authority. It is in this sense that we would like to treat borderland collective identities as political ones. This line of reasoning can be better understood if we agree on the fact that the political ascription of identities is to differentiate in an exclusive or exclusive manner, to build a 'we'. Identity as a notion, different from identities as

forms of belongingness, can be heuristically envisioned as a "force of conflictualisation[5], or of construction of cleavages" (Duschenes and Scherrer 2003). These cleavages makes the individual in a group to which he claims to pertain represent this group as opposed to other identitary groups he belongs to. He does this through a hierarchisation of the multiple forms of belongingness he identifies with (Duschenes and Scherrer 2003). If we follow this reasoning, borderland identity as a communitarian identity proceeds from other identities in a critical context where the necessity is to face contradictions common to territories constituted by borderlands. In this vein, a quite convincing application of this definition of political identity to borderland identity would hold on the following premises.

First, the meaning of this identitary production in cross-border governance is to define two kinds of relationships: one between the borderland territories and the global national entity throughout an enunciation of a politics of autonomy (autonomy of *representation* and autonomy of *action*) towards central governments; another one between the two borderland communities and spaces. Second, a consequence of what precedes, the local communitarian identity, or localism, is not only the vehicle of a feeling of common belongingness, but also functions as an inter-local imaginary which territorialises those constraints and dynamics of interdependency known in the cross-border areas in view of their collective appropriation. Thus, this identitary idiom of 'local citizenship' constitutes the matrix for action in cross-border governance. It is the publicised representation and experience of border peoples, of the social ties that bind them and of their different roles in the borderland (Adejumobi 2005:22-23). Third, this collective 'floor taking' in

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[5] This definition like those of borders as political territories and borderland identities as political identities means by 'political' not something related only to the exertion of power – a traditional angle in political science from which national identity and State territory were strictly and exclusively political –, but something relating to conflict. By conflict we refer to the Simmelian idea of conflict as the foundation of social order and polity any attempt to overcome this contradiction engineering social relations. Cross-border governance is also defined in reference to this conception of what is political, in the sense that governance refers to the conflictual balances of State-Society relations.

which particular identities (national, ethnic, confessional, class, etc.) are concealed, is also a collective 'power taking' through which cross-border governance is legitimised and worked out as a form of public action, a realm of publicisation of social relationships (Surel and Muller 1998:52). Behind the 'logics of meaning' stemming from borderland identity and cross-border governance lie 'power logics' which principle is to provoke a unitary dynamic of action. We can therefore infer that the political nature of borderland identity and management lies in the fact that cross-border governance, to a great extent, turns borderlands into public and governance realms.

This is the reason why, as a third step in this theoretical preliminary, we also would like to depart from this premise that cross-border governance is a political enterprise in both its forms and meanings. One obvious reason to that is actually that, on the one hand, governance as a holistic concept relates to "issues that are necessary to the achievement and reproduction of balanced State-society relations" (Olukoshi, 2006:6), and that, on the other, borderlands are spaces where those questions are mostly ragging, if the problematic of grassroots integration and border management is to be seriously considered in current national and regional policies (Cedeao 2005, UA 2007). In the face of various problems, borderlands cannot but device inner machineries of self-government.

In the Western Senegambia neighbourhoods we investigated, strong interdependences have grown up to be genuinely endangered by cross-border problems. Besides erratic intergovernmental relations, borderlands are toppled by the continuous weakening of the security sector, the proliferation of roadblocks, environmental erosion, weakness of local institutions and inaccessibility of central government structures, as well as cross-border trade and its daily share of criminality and insecurity (Tandia 2007, Fall 2003). Not to mention the impact of all this on

the social fabric and order of these territories[6]. It follows that the empirical situation of Western Senegambia borderlands calls for a theoretical approach to governance and cross-border governance.

As regards governance, we will also conceive it as a heuristic concept to say that it conveys an epistemological concern which is to understand the alternative forms of regulation that have emerged in a context of social complexity and / or political disillusionment marked by critical transformations of the nation-State. The permanent crisis of the State at all levels, from the local to the global, has diminished the readability of public action (Nabudere 2000, Fawole and Ukeje 2005). Due to crises of legitimacy, efficacy and territoriality (Igue 1995, Sindjoun 2002), in the wake of the crisis of national identity and citizenship (Igue 1995, Bach 1998, Adejumobi 2005), the multiplicity of actors, with growing divergent and almost unmatchable interests, engage in a regime of governability at the edges of the State. The notion of governance appears therefore as a conceptual designation of this new regime of representation and reproduction of the State, or more exactly of the public realm[7], through the social practices and within the framework of

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[6] That is why Cross-border initiatives of the Ecowas and the African Union pledge for a border oriented regional integration and security by making the concept of border region their own. The Ecowas collaborates with the Club Sahel Afrique de l'Ouest and other NGOs since 2002 to hold seminars and conferences that allowed the organization to work out a Cross-border Initiative Program. See CEDEAO, 2005, *Mémorandum : le concept de « pays-frontières » ou l'intégration de proximité*, Accra 18 janvier, Secrétariat Exécutif, Abuja, Nigeria ; CEDEAO, 2006, Mémorandum : le Programme d'Initiatives Transfrontières, 18-19 décembre, Ouagadougou, Secrétariat Exécutif, Abuja, Nigeria. As for the African Union, it has reckoned the possibility to adopt the Ecowas strategy at a continental level. The organization has been gathering its experts since March 2007 under the slogan "prevent conflict and promote integration". See the report of experts on the Border Initiative program of the African Union. <www.au.org>.

[7] If we have used the concept of governance in this way, it is because it helps preclude the ideological significations that sometimes pollute it. More interestingly, it is more useful than government (as in local government) and leadership in recent civil society myths of popular or elite salvaging rule. However, as Goran Hyden observed, the concept should not always and mistakenly stigmatise the imbalance of State-Society relations. We agree with Hyden when he argues that, "First, the State is rarely the sole harbinger of political power and, second, it is often the public

collective action. In other words, it refers to a new governmentality of the State defined as a specific mode of exerting power" (Lascoumes 2004). Concerned in effect with "struggles for the expansion of citizenship, [and therefore with the nature and character of the public realm]" (Olukoshi 2008:6), governance raises the questions of new systems of checks-and-balances between public and private actors, State and societal institutions, the articulation of the rights and responsibilities of citizens individually and collectively taken, the definition and operationalisation of rules of political regulation (Olukoshi 2006). Governance therefore works here as an instrument to apprehend the current transformations in the modes of management of public affairs (Hermet 2003:13, Hermet an Kazancigil 2003:1-14).

In the context of border regions, governance is relevant in a geographical and anthropological perspective. In effect, it enables on the one hand to talk of them as territories – what we did earlier – that is scales of action, socio-spatial areas where governmentality is re-invented, and on the other hand, to consider them as symbolic sites and identitary centers. Consequently, the concept of cross-border governance is helpful when one wants to pay attention to the symbolic or cognitive dimension of the production of the borderland governmentalities throughout an analysis of identitary constructions that are their legitimising frames. That is why we envisaged cross-border governance as a collective action to be closely related to borderland identities and territories.

In this sense, cross-border governance will be considered as a collective regime by which inter-local problems of border areas are managed and borderlands regulated within and in ambiguous relation to the respective national frames. In such a usage, its empirical dimensions need to be

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realm, not just the State, that is weak" (Hyden 1995:6). The concept of governance here enables to suspend judgement about the exact relationship between political authority and formal institutions in society. No presupposition is allowable as regards the holder of authority or the possession of political control by any given actor in cross-border governance processes. Following on this point of view, we

featured out so that the implications in terms of border meaning and transformation can be grasped.

We refer back again to Hyden whose analytical framework (Hyden 1995) seems to correspond to our treatment of cross-border governance as a political enterprise putting together identity, territories and governance. This scholar theorised some basic dimensions of governance that seem useful to grasp the empirical logics of cross-border governance in our Western Senegambia settings. His schema of the 'governance realm' tallies with our view of borders as public realms since cross-border governance and borderland identity aim at a publicisation of social relationships and problem-solving initiatives and possibilities. There are three dimensions for an optimal analysis of governance.

First, he considered the *actor dimension* of governance in which the nature and character of relationships between actors tell something about degree of publicity in collective actions implied by governmentalities. According to Hyden two types of relationships need to be considered between actors. On the one hand, *relationships of authority* – authority meaning, not that governance relationships are based on domination or subjugation over any one, but on "legitimate power, that is the voluntary acceptance of asymmetrical relationship" (Hyden 1995:10). In this sense, it comes close to a reciprocal relationship. Both imply an underlying normative consensus on rules for the exercise of power" (Hyden 1995:10). On the other hand, having the advantage of being less discrete, therefore more publicising unlike exchange, reciprocity requires "each to contribute to the welfare of the others with an expectation that they will do likewise" (Hyden 1995:9). A *reciprocal relationship* requires then "broader agreement and consensus on the basic norms of social action" (ibid.). And the condition for this consensual processing is the implementation of an ethic of discussion in deliberative encounters, which therefore stresses the role of borderland management discourses.

Second, it is clear that this jurisdiction of palaver as the jurisdiction of speech (Bidima 1997) and consensus has to fit in a precise governance structure. This is the *structural dimension* of governance relating to the type of political structure implied by governance politics, or else, "the normative institutions created by human beings to pursue social, economic and political ends" (Hyden 1995:10). At this level governance structures are said to be of a mixed patterning. Governance stands on the middle ground that every society is made up of both man-made and institutionalized structures. To put it simply, structures of governance are formal and informal, spontaneous organisations and institutions. In the case of cross-border governance, we will see that this hybrid character of governance structures is observable through the presence of social forums monitored by civil society NGO's or associations, or else deliberative encounters gathering (local)State authorities and traditional powers. It is in this sense that governance structures flourish in a communitarian one, meaning that it could well be found in borderlands where collectivism still dominate patterns of social life.

Third, Hyden deduces from this a frame of three main component variables from which to read empirical working of a governance regime. Citizen influence and oversight, responsive leadership and social reciprocities should be observable components of what might be termed as the *regime dimension* of governance situations. *Citizen influence and oversight* refers to "the means by which individual citizens can participate in the political process and thereby express their preferences about public policy; how well these preferences are aggregated for effective policymaking; and what means exist of holding governors accountable for their decisions and actions" (Hyden 1995:15).

While this rather large frame could be a little bit tight for cross-border settings often marked by State absence[8], we suggest looking at the presence and activity of civil society structures next to local administrative and political powers. In addition, peoples' inclusion and reference on behalf of these governors and other actors should tell us more about citizen participation and oversight. *Responsive and responsible leadership* refers to "the attitudes of political leaders toward their role as public trustees. In particular, it covers their orientation toward the sanctity of the civic public realm; their readiness to share information with citizens; and their adherence to the rule of law" (Hyden 1995:15). At this point also it is important to simplify by contextualization. We will rather be looking at to what extent leaders or legitimacies indulged in cross-border governance pay attention to the stability and openness of the public realm, how they are open and sensitive to popular solicitations and grievances, and in what terms they abide by the rules of consensus and accountability that govern governance situations. This equates for instance to looking at the degree to which they remain concerned with destabilizing issues such as security, crime and trade in borderlands. Last but not least, *social reciprocities* refer to "the extent to which citizens or groups of citizens treat each other in an equal fashion; how far such groups demonstrate tolerance of each other in the pursuit of politics; and how far voluntary associations are capable of transcending the boundaries of such primary social organisations as kinship, ethnicity or race" (Hyden 1995:16). While this last component may refer to modalities of equality, tolerance and inclusiveness between groups in governance situations, we will consider it in the case of cross-border governance to imply the degree of social integration according to which equality, tolerance, and inclusiveness may well be measured. As concerns the issue of voluntary and

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[8] We should add that Hyden's frame is originally drawn for the level of State politics where he proposes governance as better than democracy as a concept to apprehend the changes in the public realm of the contemporary State. So in his point of view, it is still about governors and governed, while in our sense it is about the looseness or inexistence of a particular holder or central authority, but about a deliberate search for many contributing or decision-centers, that is what we referred as legitimacies. In this case of blurred lines between society and leadership, what imports then is legitimisation of this collectivism more than legitimacy of any power-center.
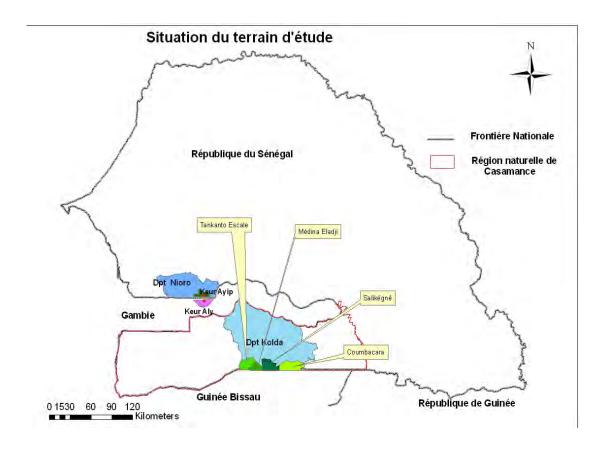
spontaneous associations, it refers us back to the idea of civil society presence and activity. Nevertheless, a good point to add is that since cross-border governance unfolds in identitary guises, matters of transcending socio-cultural boundaries should be envisaged in terms of how governance demands in terms of policymaking are negotiated without exclusionist recourse to these forms of belonging. In other words, it is about how far these identities are tolerated or usefully resorted to in governance politics. In this sense, cross-border governance could be an interesting platform from which governance as a concept of new politics and policymaking could be deemed working or not in African (border) contexts.

As far as we are concerned in this study, the dimensions of governance and cross-border governance as delineated above can be traced through a three stage approach. First, we will highlight the modes and the logics of action in cross-border governance, its actors and their legitimacies. Second, we will look at the factors of legitimisation from which derive the meaning of cross-border governance, with a focus on the part played by borderland identity. Third, since it could be part of its meaning, what could be the potential of cross-border governance is a concern we have tried to cope with, which lead us to consider the efficiency of cross-border governance as a regulatory regime of borderlands. An important issue raised here relates to the lessons that can be learnt from the experience of cross-border governance in the context of a double-dynamic of the African State – decentralization on the one hand and regionalization on the other. Beforehand, it is not inappropriate to have a short picture of the two main settings we have investigated in the Western Senegambian Space.

Tandia and Toure, 2009.

Peopling and spatial dynamics of Western Senegambia borderlands

Actually we have investigated two places (see map), one in the Senegal-Gambia northern frontier, and another in the Senegal-Guinea Bissau border. The first place is the borderland straddling the North Bank Division of Gambia where is located the village of Keur Aly (purple color) and the Communauté Rurale of Madina Sabakh in the Nioro department of Senegal where the village of Keur Ayip is located (green color). The second is the trans-boundary space straddling the four Communautés Rurales of the Kolda (degraded green colors) department and the neighbouring Bissau Guinean area of Citato-Cuntima and Contuboel in the Regulado of

Gabu region. Though both areas harbour cross-border governance dynamics, and relatively share the same spatial practices and socio-cultural patterns, the two settings are different to many respects, notably in terms of peopling and cross-border social mobility, migration patterns, local histories, social structuring and integration, political control and stability, and leadership regimes.

The twin villages of Madina Sabakh ancestral brothers on the Senegal-Gambia frontier

The Gambia-Senegal borderland is formed by the Wolof communities of the villages of Keur Aly (Farafegni North Bank Division of Gambia) and Keur Ayip (Sous-prefecture of Madina Sabakh of Senegal). Formerly compounds, these two villages are twins for the following reasons. Fisrt, they were founded by Aly and Ayip, two brothers whose descent constitute the whole trans-boundary community. This ancestral brotherhood ties justifies the sharing of one cemetery located on the Gambian side, sanitary districts, one market and a coach station on the Senegalese side. Second, as in the Bobofing community studied by Cisse (Cisse 2007), the border as a socio-cultural space is netted with festivals, initiatory, customary and land rituals, confessional events, matrimonial and lineage exchanges, and christening. These practices are instances of the dynamic social mobility and integration of the borderland community. The ethnic homogeneity they mirror is not disrupted by circular or nomad migration flows in the wake of cross-border trade. This integration is reinforced by the common economic activities (farming, trade and cattle-raising), which bring local authorities and notabilities to loosen political control by means of a regime of tolerance. Third, the economic dynamism of the border area, thanks to natural resources trading, weekly markets, the Gambian ferry of Farafegni, and first stuff facilities in circulation, the borderland is more or less firmly rooted in the national territories. As far as the leadership is concerned, the various authorities enter into close relationships: vertical civilities among traditional nobilities and administrators and local councillors have established a cross-

border cooperation in all sectors since the early 1980's[9] (Tandia 2007). Another element that characterises this Senegal-Gambia borderland is that the frequent implication of national authorities to a certain extent in local matters shows the existence of a higher degree of an acceptance of national belongingness among borderlanders.

The warring and poverty-stricken local communities of ancient Gabu alliances

The situation is rather different on many respects on the Senegal-Guinea Bissau borderland of Kolda (Senegal) and Sitato-Cuntima and Cambaju (Guinea Bissau). This area is the political territory of ancient Gabu kingdom which reached the republic of Guinea and the Futa Jallon. On the Senegalese side the Fula territory is called the Fouladou, while on the Bissau-Guinean one the name of Gabu prevails. It is stretched also toward the central part of Guinea Bissau, which relativises the ethnic homogeneity of the community formed by the Fula people, called the Fulas of Gabu (Borshik 2008). Indeed, the ethnic homogeneity is disrupted by the sedentary type of migration flows of central Senegalese farmers, western and central Bissau Guinean Balanta people fleeing political instability and poverty and retrain from fishing, Guinean Mandingos and Fulas. This territory is still marked by the Liberation wars in Guinea Bissau and the long lasting Casamance 'forgotten civil war' (Sonko 2004, Faye 2005) and the current political instability of the Bissau Guinean State. Poverty and insecurity are guised in the insecurity system of land mines, cattle rustling, fraudulent trading and growing armed robbery. This situation has severely affected social integration, political control and leadership. First, the state of extreme poverty aggravated by drying up of the shallows for farming and loss of land – because of land mines –, erosion and criminality, tends to establish a territorial system of wariness and scarcity. The

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[9] According to the Sous-prefet of Nioro interviewed in August 2007, cross-border cooperation on this northern part of the Senegal-Gambia border has been initiated by one of his (Senegalese) predecessors whose name was Korka Diallo in 1982, which is not contradicted by his Gambian counterpart of the North Bank Division in Farafegni (Tandia 2007).

border people are complaining about migrants[10] who favour an intensive use of land and forestry, and therefore spoil the fertile wetlands. Second, a regime of laisser-aller in the development activities such as farming and cattle-rustling, which are the main ones, affects the cultural and socioeconomic solidarities. For instance, tension and conflict is growing among communities who often resort to violence in the fighting of cattle rustling, the drawing of pasture itineraries, or else in land distribution and exploitation. The worsening of the socioeconomic fabric has nurtured a generation gap[11]. Third, the complicity of security and administration sectors with local migrants' trustees and with religious chiefs – in trade and land management for example – is also a cause of the conflictual climate (Fanchette 2002). While people do not trust official institutions and reject their counseling, the youth questions the gerontocracy of adults who accuse them of laziness and criminality. In this context, the absence of States on both sides, largely exemplified by the weak integration of the Casamance region in Senegal, and the long history of war of the Bissau Guinean failed State favours civil society and traditional leadership. This situation becomes at the same time the main ingredient that nurtures and reinforces among borderlanders a 'we feeling'[12] that strongly questions the national belongingness and therefore seems to reject it. This feeling of being abandoned or underestimated is even bitter that the lack

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[10] Fleeing insecurity and/or poverty, these established migrants come from central and western Guinea Bissau and central or northern Senegal, mainly from the ancient Senegalese "Bassin arachidier" in the Saloum area (Arragain and Salliot 2005).

[11] Youngsters who have for their great many left school are accused of being irreverent toward traditions as far as cattle raising and farming are concerned. At the same time, they are accused of banditry as they are cited as being in league with cattle rustlers. On their turn, they accuse adults and old traditional chiefs of being acolytes of the politicians embodied by local councillors and religious chiefs. According to them, States are to be blamed in so far as they remain regardless toward their situation and the ragging insecurity which profits to cattle rustlers. Some of them blame poverty and unemployment to assume suspicions hanging over them. This is mainly the picture in the Senegalese communautes rurales of Madina El Hadj and Takanto Escale.

[12] Among the Senegalese Fulas of the Fouladou or High Casamance, a commonplace phrase is the following: "They [the northerners] are taking away our resources". A farmer complaining about migrants and local politics said this to us: "We happen to ask ourselves whether we should not have done like our Diola brothers inn Low Casamace", referring to the current irredentism against the Senegalese State.

of infrastructure and the numerous differentials between countries (currency, political systems, prices and products availability and periodicity) stretches the lines of this territoriality of enclavement, scarcity and wariness.

Cross-border governance as a transnational governmentality

Cross-border governance engages a plurality of actors operating at times in tandem at times separately. Indeed, institutional pluralism set up in the wake of decentralization processes in different countries does not result necessarily in an ideal participation of all actors (Faye 2006:11-12). Depending on contexts, this dimension of governance as a collective action and a regulatory regime will be unequally distributed. The analysis of discourses and practices of the latter will help distinguish between administrative coordination, security cooperation and cultural diplomacy as various and overlapping modalities of cross-border governance.

A local system of administrative coordination

This first regime is exerted by territorial administration authorities and local councillors, who are assisted sometimes by administrative services and grassroots organisations. It proceeds with a hierarchisation of political actors (local councillors) and administrative agents. This hierarchisation tells a lot about the power authorities implied by governance. On the Senegal-Gambia borderland "besides security services, technical civil servants, local councillors are at the forefront, but under the close control of territorial administration commissioners", says a Senegalese sous-prefet. On the Guinea-Senegal borderland local councilors are nearly overshadowed by regulos, the local commissioners. But the structural weakness of these local administrations, notably on the Guinean side, worse than in the Gambian divisions of the North Bank, opens the door for civil society commitment in the management of border problems. This is revealed in the domains covered by this local coordinative regime.

Except the civil society associations that fill the gap in the Senegal-Guinea borderland, domains covered by the coordination activities are those in which concerned actors are allowed competence in national armistices. For instance, if security is taken in its social sense, are covered such many sectors as public security, farming, schooling, sanitation and cattle-breeding. In farming technical services are mobilised by cross-border administrative authorities in the management of land, crops, and their convoying. It should be noted a difference in the two borderlands. While on the Senegal-Gambia borderland local councillors are particularly solicited, the Guinea-Senegal borderland is characterised by a loose regulation in this domain. The same is true for cattle-breeding. On the Guinean borderland things are a bit too easy going. As says this cattle raiser, the prevalence of cheaper traditional techniques of animal feeding and branding and the impracticability of a good deal of pasture lands, because of mine bombing, adds to the extreme poverty of border populations so that modern or official devices are overlooked (Arragain and Saillot 2005). As regards forest management, the Gambia-Senegal border is also more provided in authoritative regulation. If their Gambian vis-à-vis are lacking in capacities, Senegalese forest division have a special role on this matter. Added to the expertise demanded by the Gambian side, surveillance logistics, and anti-arcadia fight programs are extended to them. The picture is quite the same between the Senegalese border division and their Guinean neighbours. Instead of administrative and political authorities, popular initiatives are legion and are hardly headed by local councillors who most often get engaged in some security issues and farming because of land stakes (Arragain and Saillot 2005:20). Because of the tensions and conflict risks that are lying in wait, security forces are sometimes invited on both borderlands to join in these civil activities even if they are traditionally domains in which they are excluded. However, the particularity of these actors is their strong presence but also their relative autonomy related to the fact that in all three countries their hierarchical authorities are the

ministries of defense and security or army forces. That is why relationships between these architects of cross-border governance form an autonomous framework.

A cooperative security framework

As already underlined, the two borderlands hold salient differences as far as their political stability and security climates are concerned. But as a whole, challenges are the same, comprising cattle rustling, drug trafficking, illegal exploitation and trafficking of forest products and most important fraudulent trading. Hence cooperation between security forces is an obliged way out to secure the privileged evacuation-corridors constituted by border areas. As says a commander of the Senegalese Gendarmerie, they "cooperate on law and order keeping, trade and traffic control, criminality, and judiciary coordination of some investigations across borders, and most of the time we meet our ends". Even though they form an inter-local insecurity system, the Guinea-Senegal communities are obliged to resort to vigilante committees or else to popular justice or crime repression (Arragain and Saillot 2005) against criminality and insecurity problems such as nightmarish cattle rustling[13]. Fortunately, the dynamism of civil society throughout the Mouvement des Jeunes pour la Paix et l'integration (MJPI) alleviates the effects of as many challenges as cattle rustling, land and pasture conflicts, mine bombing, fraudulent trading (Chroniques frontalieres 2005:7). Thanks to the forums organized by the association around cross-border management, notably security issues that are the core worries, the police deign sometimes to collaborate. For instance, for a fee of 500 Cfa the police systematically control the livestock that cross the border in tandem with the vigilante committee. Since 2002 it is thanks to the implication of the youth that a great many of cattle rustlers and forestry

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[13] This pattern of popular responsibility in local justice or crime repression has been studied by Saibou (Saibou 2007) among the Chad-Cameroon border communities against cross-border banditry. He termed them as "les modes sécurisation par « le bas »" (grassroots modes of policing).

plunderers have been tracked down and arrested in the Bissau-Guinean villages of Bonco and Fajonquito.

Regulating borderlands as trading spaces is also an arduous task for security cooperation. As says this policeman at the checkpoint of Keur Ayip on the Gambia-Senegal frontier, "sometimes in between armed forces, the police, the customs, the gendarmerie, Gambians and Senegalese, we are obliged to join forces to face quarrels between policemen and drivers or passengers, carts' crossing, the trailing of offenders, and so on". Apart from these hardworking routine, security officers intervene in conflicts opposing economic actors (merchants and nomad traders called *bana bana*) and security forces who exaggerate their frustrating redtape. While on the Senegal-Gambia borderland quarrels among transporters[14] of the communities across the border are often disentangled by security forces, cattle raisers and farmers are frequently reconciled by the MJPI (Arragain and Salliot 2005:11-15).

The increase of security problems over the years on the Guinea-Senegal border and the growing interdependences on the economically dynamic Senegal-Gambia borderland has brought public approval of cross-border security cooperation. That is why like the administrative coordination regime, security cooperation attracts other types of actors, from civil and military sectors. But this is truer of the Gambia-Senegal border where, except for the Senegalese customs division who are accused of acting in offhand manner, border police, administrative authorities, local councillors and traditional nobilities on both sides, partake in the management of forest and natural resources.

A cultural diplomacy of neighbourliness and trans-boundary integration

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[14] As was the case during the blockades in 2003 and 2005 by Senegalese transporters who protested against a price increase on the Gambian ferry (Tandia 2007).

Other studies have reported forms of negotiation of peace and arbitration of disputes among contemporary societies, notably on border areas. After those of Anderson, O'Dowd and Wilson about European Borderlands (Anderson, O'Dowd and Wilson 2001, 2003), very recent ones in West Africa are for instance the works of Saibou and Cisse, respectively about the Fulani Communities straddling the Chad-Cameroon border and the Bobofing lineage communities on the Mali-Burkina Faso Sikasso area (Saibou 2007, Cisse 2007). These studies highlight the mobilisation of traditional techniques of peace making and socio-cultural solidarities in the reinforcement of social bonds and border integration. They inform the close relationship between the functioning of these practices and the efficient management of border areas.

The role of traditional nobilities, meaning customary chiefs and religious authorities and other patriarchal entitlements, has gained recognition in peace studies though it has decreased in practice. In question is the laborious but stifling diffusion of the unitary State model and decentralisation. Moreover, often suffering their ignorance of the linguistic and technical rudiments of modern institutions and local politics (Blundo 1998), these agents of the jurisdiction of speech (Bidima 1997) partake in a 'local diplomacy' (Tandia 2007) that is verging on concurrence or autarky towards official structures. Because they rarely share initiatives with local administrators, and that their activity remains sometimes impervious to any formal coordination. The style of leadership is not monolithical in this case of cross-border governance, in the sense that it embraces traditional forms of conflict prevention and management (Saibou 2007, Cisse 2007, Tandia 2007). Suffing themselves to the representational role of the chief local councillor on the Gambia-Senegal borderland, they exert a rather important influence on the local diplomatic activities. Borderlands being spaces of socio-cultural intermixing, unified

living environments, and dynamic markets around the *loumo*[15] and transportation, traditional nobilities are regularly engaged to solve disputes where formal settlements are inefficient and their procedures avoided (Arragain and Saillot 2005:16). This "catalysis diplomacy" (Ramel 204:879) also ensures peace keeping and pacific coexistence among cross-border communities. On the Guinea-Senegal border, where it is by default the archetypal governance regime, bringing close to close civil society MJPI youth, butchers[16], and local chiefs, a *diure*[17] or 'mirador of peace'[18], as it has been named, has become a deliberation spot besides palaver trees. By means of meetings and palavers, cultural diplomacy operates on market places, mosques, coach stations, and the *diure* is the new lieu of palavers of peace and integration. We have to note that local chiefs have been the first actors of cross-border governance on the Gambia-Senegal border, and the most solicited ones on the Guinea Bissau border. Local councillors assist just as mediators or facilitators by allocating logistic while civil society coordinates meetings, as it is in the Guinea Bissau border. Since the intervention of local chiefs during the last blockade of April 2005 in Farafegni, authoritarian regulation is less used to manage transportation problems. Administrators and local councillors are not depreciated given that they save fastidious procedures, which is an instance of reciprocity as well as of supplementation of the State through cross-border governance.

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[15] A Fulani word meaning the weekly cross-border markets organised in Farafegni (Gambia) on Sundays and twice a week or more in the department of Kolda for the Senegal-Guinea border. They drain huge crowds of merchants and traders in the Western Senegambia Space. All in all, from Dakar to Bissau, actors come as traders, craftsmen, farmers, cattle raisers, and other peoples attracted by cheap and rare goods, notably staple foods.

[16] Given that cattle rustlers sell the livestock to butchers, the vigilante committees collaborate with them for better oversight.

[17] Another Fula word meaning a mirador which is made of bamboo laths among the Fula communities in the Senegal-Guinea Bissau Borderland or wood posts in the Wolof communities of the Gambia-Senegal borderland. It is the symbolic place for "arbitration and settlement of disputes" and can at a height of 10 to 15 meters.

[18] The Senegalese village of Coumbacara in Kolda and its Bissau-Guinean neighbourhoods, the Guinea Bissau village of Cambaju and the rural councils of Kolda in Senegal are the lieu par excellence of the implementation of cultural diplomacy. Coumbacara and surrounding villages in Guinea-Bissau harbour more than 10 miradors of peace

Only used heuristically and for the demands of methodology, these typologies have all the same been useful to read out in a conciliating manner the diversity of actors and their legitimacies which are not always conflicting. Instances of overlapping between governance actors, and the interdependences between cross-border governance sectors, reveal the existence and dynamism of governance realms on borderlands. It has been underpinned the way in which the absence of the State should be alleviated by border collective initiatives. This is shown by the fact that the more the Sate is wanted, as is the case on the Guinea-Bissau-Senegal border, the more civil society commitment was effective. The perceptions and the expectations of one another tell more about the signification cross-border actors bestow on their collective action, which seems to us determining in the implementation of this (inter)local governance regime.

Legitimising Cross-border Governance: between the local and the national

Given that diverse legitimacies are operating, that their actions and perceptions do not always match up even though they all gain recognition and acceptance, we opt for a consideration of the springs of this recognition, of how they justify their activity, individually and collectively. This is what we mean by legitimisation: the meaning ascribed to their collective action and this apart from the national or local institutional memberships of one another. Thanks to an interpretation of representations, of local time and space, through the lenses of the African social philosophy (Bidima 1997, Yinda-Yinda 2004), we have identified structuring patterns by which cross-border governance gains legitimacy for plural actors; by which this legitimacy is distributed between them. We insisted on the role of identities, beliefs and expectations (Sindjoun 2004) as well as on the resources by which the role of different actors is constructed. As it seemed important to address the question of whether decentralisation mattered in cross-border governance, we also looked at how it can or not appear to actors as a source of legitimisation of this collective action. But, more than decentralisation, it is the local trans-boundary identities and histories that form

the genuine referential by which cross-border governance is defined. And, at last, although to a lesser extent than borderland identity, the local-national dialectics stand out as determinants of the social construction of the role of cross-border governance.

Beyond decentralisation: the effects of local institutional pluralism

Even though decentralisation as a process of State repositionment did not honor the many expectations it had crystallised, it has had an unexpected effect of sensitising about power and authority stakes that were dormant in peripheral territories. Though often awkwardly and incompletely conducted, the transfer of some competences have converted the traditional uneven power relations into interdependent and loose balances of legitimacies, each claiming social acceptance and utility. The coherence of cross-border governance seems to lie on this pooling of traditional and legal-rational "forms of legitimacies" in the sub-national ponds (Lagroye 1985). In this sense, cross-border governance lies more on this pluralistic regime than on decentralisation which refers to the reign of administrators and local councillors who are a type of actor among others in the local scene. If governance regimes on local and/or border contexts owes much to decentralisation, all legitimacies are valorized. On the Senegal-Guinea Bissau border, where the territoriality of wariness and enclavement impedes decentralisation, the absence and deprivation of local institutions, and the friendships between religious and local councillors and administrators (Fanchette 2002) has crowned civil society actors whose legitimacy is rather functional than nominal. In fact, legitimacy counts less than the contribution each actor is able to make in collective action. Realities of poverty and insecurity on the Senegal-Guinea Bissau border, as well as economic imports of trade on the Senegal-Gambia border unevenly command this state of affairs. Another viewpoint that depreciates decentralisation as a robust basis for cross-border governance is on the Senegal-Gambia borderland, the belief of actors that decentralised cooperation is less impactful on their problems than cross-border

governance (Tandia 2007). We are in front of a social construction of their new role by cross-border actors and structures, traditional or modern, public or private; which construction tends to project cross-border governance as a new of governmentality, if not alternative, at least complementary to the (inter)governmental governability. In this vein, we based on what local border administration and politics mean for actors to analyse border representations, time and space so that local histories and trans-boundary community identities appear as the genuine frames of sense giving to cross-border governance.

Localism or the communitarian identity of Cross-border Governance

The legitimisation of cross-border governance appear in fact as a semiotics of borderland challenges, a gauge of an inter-local order which interdependences – complementarities and differentials/discontinuities – must be managed beyond intergovernmentalism. Thus, by localism is first meant the rhetoric of an identitary construction stemming from the relational situation of actors (Braspenning 2002:321), thanks to a commonly shared "grammar of signs and symbols" (Yinda-Yinda 2004:324). Second, it is based on the representation, also inter-local, of the border space in a mood of autochthony. Third, it is related to local time, that is, a conception of events both in the inter-local and national contexts. The local discourse patterns disclose the representation of a communitarian transnationalism (Sindjoun 2002:55-69) that professes the transcending of the juridical boundaries by means of an ethic of tolerance that works as the code of social relations. At the same time, such an ethos represents a pragmatics of the 'local foreign policy' as a contextualization of national foreign policies, in due proportion with challenges of the inter-local, which thus becomes a relevant scale where foreign policies can be displayed. Given that "any identity has a territorial expression" (Mbembe 2000:38), this localizing rhetoric of the extra-territorial collective action expresses a conception of the border space as a "symbolic

and material resource" (Wondji 2005:17) that enables to justify a collective action beneficial to one and the same community.

On the one hand, the borderland is a social space of secular bonds that have resisted stato-national authorship of political identity. The discourse about the brotherhood of the twin villages of the Gambia-Senegal border constructs the socio-cultural space that exports cross-border governance beyond boundary-lines (Tandia 2007). Likewise, the miradors of peace and the cultural celebrations on the Senegal-Bissau borderland aims at "bringing the road", as termed in popular local parlance, at drawing a symbolic bridge between the cross-border communities (Chroniques frontalieres 2005:10). Identity being a relational material, cross-border governance, which is at the same time a product and an instrument of grassroots integration, articulates a rather inclusive 'local citizenship'. First, the tradition of brotherhood sanctified in the imaginaries of neighbourliness erases foreignness in favour of a kind of 'borderland nationalism'. Such a feeling is enforced on the Guinea Bissau-Senegal Fula communities who seem to rebel against a deliberate governmental strategy of enclosure of the High Casamance region (Fanchette 2002). Second, ordinary discourses designate the stranger as a *doomu ndey*[19], convoking the immemorial African maternity (Yinda-Yinda 2004:341) to nullify difference, a nationally endowed otherness. The Wolof community of the Gambia-Senegal borderland oppose to the stato-national image of Gambia as an "annoying peanut in the belly of Senegal"[20] that of the "milk and couscous" mixture that cannot be parted but only drunk naturally. Likewise, the Fula community of the Guinea Bissau-Senegal borderland presents cross-border governance "as a federating sphere that transcends all political, religious or national identities" (Chroniques Frontalieres 2005:10). Third, the duty of solidarity constructed out of local syncretism that is

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[19] Wolof word used in Gambia-Senegal borderland communities that means a brother of the same mother who is different from the half-brother, that is in traditional maternity, the brother with whom we share a father.
[20] A phrase attributed to former President Abdou Diouf of Senegal by Ebrima Sall (Sall 1991)

open to Islamic revelation results in an ethos of palaver and tolerance. In this vein, as noted by the Sous-prefet of Madina Sabakh, "the legitimacy of cross-border governance rests upon the common will of border peoples to live together". Nevertheless, if localism is the unique coherent legitimating pedestal of cross-border governance, it does not entail a rejection of the persistent figures of State and national identity (Sindjoun 2002, 2004).

Cross-border governance as a response to the borderland interdependencies and State want
The intergovernmental relationships between Senegal and its Western Senegambia neighbours is also a pretext for a realist consideration of cross-border governance and its identitary foundations. This stance is particularly necessary as this local collective action aims at negotiating a cross-border cohabitation which is not always easy. The attitude borderland communities have toward events between national States reveals a divide of local histories following the lines drawn by intergovernmental relationships and local interdependences.

In the face of cross-border complex interdependencies, the social representation of frontiers as material resources provokes a utilitarian behaviour among actors to their conscious interests. If borderlands are "scenes of international relations, this owes much to their being spaces of important stakes for sub-national actors" (Sindjoun 2002:72), notably economic ones. The tension between local and national temporalities reveals actors that, in addition to the communitarian transnationalisme, obey to an identitary fluidity" (Sindjoun 2004:12) which enunciates the national, beyond or along with the inter-local. It is clear that differentials in terms of material facilities explain the proneness of Gambian and Bissau-Guinean communities to seek schooling and sanitation in Senegalese local territories or else benefit from inoculation campaigns.

Cross-border governance is undeniably a governmentality that supplements differentials of State want and redistributes complementarities. Nevertheless, it is from another point of view a realm for the reproduction of the State. The escorts of Senegalese supporters after football matches in Gambia as well as the football games and celebrations (festivals, marriage, funerals, initiatory rites) on borderlands are occasions on which the intervention of administrative, political and security agents expresses a "culture of the State" (Meye 2004:183). Likewise, the checkpoint rituals are accepted even if identity papers are not always presented, which is an expression of the idea of national rights and duties and international sovereignty. It appears from what preceeds that the ethos of tolerance and solidarity instilled by localism as a transnational legitimating identity is closely linked to the necessity to assume collectively border constraints. Moreover, the enunciation of the inter-State code in cross-border governance proceeds also with a critic of intergovernmental relations as they impinge on border problems when they do not overemphasize them.

Intergovernmental diplomacy is often responsible for some misunderstandings while at the same time inappropriate in its centralism. Consequently, cross-border governance appears as an incomparable mechanism of inter-national regulation to this Senegalese sous-prefet: "Here we want to go fast, by means of facilitation, mediation, and so on. Because when it comes to diplomatic formulas there are things that drag on. Let us take the example of a blockade on the border because a Senegalese passenger has abused a Gambian policeman. Do we have to wait for the ministry of foreign affairs of Senegal to be informed and that in his turn he refers to the President who calls his Gambian counterpart? That's a bit long and fastidious procedure people could not wait for to attend to their business". What is deducible here is not a negation of the State, but an empirical illustration of governance as a recreation of the public realm and

(inter)State governmentality, which thus implies to look at the functional legitimacy or utility of cross-border governance.

Cross-border governance as an instrument for trans-boundary cooperation and grass-roots integration

The analysis we dedicated in the previous section to the meaning actors give to their collective action on the one hand, and the interest they attach to it on the other, revealed a certain number of expectations they place on cross-border governance. On the satisfaction of these expectations depends what might be termed as the social utility of cross-border governance. The analysis of this functional legitimacy through the means, procedures and goals of cross-border governance results in the identification of three types of functions that render it effective. However, there are undeniable shortcomings that relativise cross-border governance in its international and national pretences.

An effective system of social integration and political regulation

Added to the temporal criteria of longevity of cross-border governance on the Senegal-Gambia borderland, the routinisation of reciprocal exchanges of civilities among actors on both sides and of all legitimacies refers to Hyden's reciprocal relationships as markers of a working governance realm. The functioning of cross-border governance in peacetime and wartime altogether refers back to the idea of responsiveness of leadership. Inversely, their responsibility is doubtable, notably at the Senegal-Guinea Bissau border where political and administrative authorities, and to a less extent security forces, are overshadowed by civil society. The friendship of administrators and religious notabilities on both borderlands in local electoral politics (Sall 1991) also adds doubt to this responsibility. On the contrary, and consequently, citizen oversight is a lifebelt for Senegal-Guinea border peoples, while on the Gambia-Senegal communities of Farafegni and Madina Sabakh, where there is a relative State presence by way of the

effectiveness of political and administrative institutions, citizen oversight and influence stays at the stage of approval of cross-border governance. Even though these observations are a basis for empirical validation of the theoretical and comparative approach of cross-border governance, they say little about the practical effectiveness of cross-border governance in its political aspirations. On this question, the analysis has yielded instances where cross-border governance presents virtues in border management, social integration and conflict prevention.

Border management as an effective modality of cross-border governance can be illustrated at two levels. First, the administrative coordination between all civil and military institutions and political councils, very mostly on the Senegal-Gambia border, covers achievements such as facilitation and negotiation of borderland activities and events across constituencies. A Senegalese sous-prefet coined the expression 'cross-border inter-institutional cooperation' to name this dynamic of pooling of structures. 'Common sector-based committees' including all types of actors on the Senegal-Gambia borders, and to a less extent traditional nobilities, deliberate on domains ranging from security, decentralized cooperation, environment. Less polyvalent are the vigilante committees and miradors of peace and palaver trees between the Senegal constituencies of Kolda and Sitato-Cuntima or Contuboel in Guinee Bissau. Second, the control of commercial flows spreading out from the borders is the field of security forces and customs. On both borders, petty annoyance and occasional quarrels between economic operators and the police are reduced to the minimum, while joint operations and forestry guards save the green reserves.

Indirectly accomplished, the *social integration function* of cross-border governance corresponds to the promotion of neighbourliness and peaceful coexistence in borderlands. Given that it alleviates the differentials in play imposed by interdependences, cross-border governance permanently prevents any disruption of local peace and neighbourliness. The use of socio-

cultural solidarities and geographical and economical complementarities trivialises the effects of differentials and low intensity criminality. Thanks to this integrative property, scarcity stricken and wariness Bissau-Guinean communities are progressively relieved of political instability and poverty at home. It follows that the combined effects of border management and social integration result in the curbing of tensions and conflicts that could rise or get poisoned. Concretely, as a cultural diplomacy of neighbourliness and a cooperative security system, cross-border governance operates as a 'preventive diplomacy' that implicates either administrators or local customary and religious chiefs. At another level, structural or permanent prevention of conflict derives from the influence of the promotion of neighbourliness among borderland communities. Effective through its patterns of cooperation, peace, neighbourliness and social integration, cross-border governance presents also some limits it would be inappropriate to lose sight of.

A perfectible governmentality

As we have already noted, the institutional framework or structure dimension of cross-border governance is man-made to some extent, or else 'informal', and institutionalized to another, that is 'formal'. This equates in its actor dimension to the pluralistic regime of its rule making, deliberative and functioning modalities. Therefore, while institutional shortcomings undoubtedly characterise such a regime of public policy or collective action (Braud 2006), they might result in operational defects.

As concerns institutional weaknesses a first one is related to the absence of a juridical framework (Faye 2006) given that actors do not think they are acting on the basis of decentralisation codes or decentralised institutions, which cannot be denied in the scarcity and wariness Senegal-Guinea Bissau borderland of State want. Even though cross-border governance owes much to local administrators, far more than local councillors, it cannot be implied that it evolves in the realm of

decentralisation. This latter, it has to be reminded, is on the one hand contrary to any legal-rational legitimacy authoritatively overshadowing other legitimacies, and remains on the other an incomplete process (Gellar 1995, Fanchette 2002, Faye 2006). Consequently, a second institutional weakness is the lack of juridical capacity and financial and logistical means. For instance, since as domains such as peace, defense and security, are not transferred competences in local territories, it follows that no means are planned for them. That is why actors on the Senegal-Gambia borderland admit that they restrain cross-border governance to basic domains such as peace, security, forestry and commercial flows. Other domains such as schooling, sanitation and other environment issues most of the time fall at the discretion of populations and civil servants. On the Guinea Bissau-Senegal borderland, cattle rustling, farming, and markets are the basic domains that attract much attention. This institutional weakness yields operational hindrances for cross-border governance.

These operational obstacles are of two types. First, the pluralistic regime nature of cross-border governance mingles with the vertical inequalities between actors. As a consequence, some of them are confined or restricted in their contribution. This is the case of traditional chiefs on the Senegal-Gambia borderland whose importance in local politics is at any rate understated (Tandia 2007). This factional participation is inverted on the Guinea Bissau-Border where civil society overshadows official authorities enmeshed in their friendship politics of survival. Second, the weak capacities of local structures, notably on the Guinea-Bissau Senegal border, mingle with the monopoly of rudiments of local government by political and administrative authorities.

Conclusion

It was question in this paper to examine the meaning of borders throughout the nature and potential of trans-boundary communitarian initiatives, and consequently through the grassroots' regional or inter-national dynamics of self-government. In our viewpoint this potential bore

interest only when related to national and regional challenges of cross-border and grassroots governance. Given that these dynamics embrace the contours of collective action and implied looking at politics of decentralisation and State transformation, we resorted to governance as a theoretical framework. At another level, in a context where regional integration discourse and politics are oriented toward 'border areas' as a new site of political and institutional renewal of (inter)State dynamics, we thought it appropriate to build on an empirical corpus[21] and attempt a comparative analysis so as interrogate this almost established paradigm.

As a first step, this study identified cross-border governance as a new governmentality of inter-local management of borders which stand as political territories and identitary scenes of much significance to State dynamics. The three modalities of cross-border action – administrative coordination, security cooperation and cultural diplomacy – enabled to discover the pluralistic actor dimension, the public realm and service, and the communitarian structural dimension. This latter opened the gate to the relationship between border space and identity as a framework within which the legitimacy and efficiency of cross-border governance could be appreciated.

It appeared that the legitimacy of cross-border governance stems from the meaning of borderlands, which in turn is given by localism as an identitary construct that re-appropriates cross-border complementarities and differential constraints as well as intergovernmental relations of Western Senegambian States. In this respect, it has been analysed the extent to which cross-border governance was not a subversive governmentality opposed to States, neither in its identitary, nor in its territorial manifestations. On the contrary, we would like to ask if its

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[21] This paper analyses data from fieldwork during October 2007 in Gambia and august in 2009 and from field reports of the West African Border Initiative (WABI)of the Club Sahel / Afrique de l'Ouest, notably the following: *Chroniques frontalières*, 2005, n°1 (avril), 2005, n°2, (septembre), 2006, n°3, (février) and Arragain et Salliot (2006). The documents are available at <www.afriquefrontieres.org>.

relatively important effectiveness does not present is as an identitary bridge between orphaned border communities and "weak" States, which would bring borderlands or border areas to stand as territorial girders for intergovernmentalism.

In case such an issue should receive closer perplexity, we would like on the one hand to take lessons from the comparative analysis and put forth a certain number of questions on the other. First, if national differences in terms of institutional tradition and structural capacity constitute obstacles to cross-border governance as it is revealed on the Senegal-Guinea Bissau borderland – allusion made to the effects of political instability and lack of national integration –, to what extent cross-border governance could be hindered as a potential paradigm for cross-border initiatives on regional integration? For instance, a question that hits out would be to what extent decentralisation could help bridge the gap and prevent this weakening of cross-border governance by reinforcing its pluralistic regime. By way of issue horizons, this leads us to the second set of issues that bear interest at the regional level politics.

The ECOWAS and the African Union have launched border initiatives in their post Cold War or post-transition renaissance agendas. While the former has opted in his 2006 memorandum for an "institutionalisation" of cross-border governmentalities, the latter is still refining its border program which is not really different from that of West Africa. In case "institutionalisation" refers to a provisory transcending of contradictions, as it politically should mean, would not such contradictions rise between its pretences and the current national and regional dynamics that tend to ignore or domesticate it in the sovereignty prone hegemonic projects.

We consider that if cross-border governance is successful in diluting national identities and connect together national territories and ethnic groups, attention should rather be given to the overcoming of the institutional and operational shortcomings that hamper it and yet come from

State crisis. In other words, isn't the issue that of revising the (inter)governmental reified centering of the State toward an (inter)Society re-centering of governance. Doesn't this equate to adjusting State transformation or (re)construction to cross-border governance through its two micro and macro dynamics that are decentralisation and regionalism? Will national States make room for the local covenants arrived at on border areas in West Africa for instance? As far as the ECOWAS is concerned, will it's member States ratify and implement cooperatively and harmoniously the regional covenant on cross-border cooperation?

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